

**RESOURCES
ON CALL**

The Nanny Kit



A comprehensive

guide to

finding,

screening,

and keeping

a great

nanny

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IN-HOME CARE DEFINITIONS

Before you hire someone to come into your home to care for your child, it is important to understand your options! There are a variety of terms used to describe in-home care providers. The following are the definitions used by the International Nanny Association.

Babysitter

Provides supervisory, custodial care of children on an irregular full-time or part-time basis. No special training or background expected.

Au Pair (Foreign)

Foreign national in the United States for up to a year to experience American life. Lives as part of the host family and receives a small stipend in exchange for babysitting and help with housework. May or may not have previous childcare experience.

Parent/Mother's Helper

Lives in or out and works for a family to provide full-time childcare and domestic help for families in which one parent is home most of the time. May be left in charge of the children for brief periods of time. May or may not have previous childcare experience.

Nanny

Employed by the family on either a live-in or live-out basis to undertake all tasks related to the care of children. Duties are generally restricted to childcare and the domestic tasks related to childcare. May or may not have had any formal training, though often has a good deal of actual experience. Nanny's work week ranges from 40 to 60 hours per week. Usually works unsupervised.

Nursery Nurse

Title used in Great Britain for a person who has received special training and preparation in caring for young children, in or out of the home. When employed by the family, may live in or live out. Works independently and is responsible for everything related to the care of the children in her charge. Duties are generally restricted to childcare and the domestic tasks related to childcare. Work week is usually 50 to 60 hours per week. In addition to specialized training, the nursery nurse will also have successfully passed the national British certification examination of the National Nursery Examination Board.

Governess

Traditionally an educationally-qualified person employed by families for the full-time or part-time at-home education of school-age children. Functions as a teacher and is not usually concerned with domestic work or the physical care of younger children. Hours of work by arrangement.

IS IN-HOME CARE RIGHT FOR YOU?

Having an in-home provider is both a big responsibility and a tremendous convenience. Before beginning the process of finding and hiring a nanny, it makes sense to examine both the pros and cons of choosing in-home care. Some of the advantages and disadvantages are listed here:

Advantages

- Convenient for parents and children
- Coverage when your child is sick
- Children develop a close relationship with one person
- Less exposure to illness from contact with other children
- Smaller adult/child ratio than any other form of care
- One arrangement can cover all of the children in a family – regardless of age
- More parental input into child's daily activities
- Children can participate in extracurricular activities within the community
- Child is in own home environment
- Can provide coverage for irregular work hours, travel, etc.

Disadvantages

- Usually the most expensive option
- Parent is the employer and manager of the provider
- Includes legal responsibilities
- Supply of nannies in some areas may be limited
- Nanny and children may be isolated in some communities
- No coverage if provider is ill or on vacation
- Lack of privacy if nanny lives-in
- More time-consuming to screen for an in-home provider than for other care

Weigh the “up-sides” and the “down-sides,” look at your family situation, your work requirements, and each individual child to determine whether in-home care is the best option for you.

Once you've decided that this type of care is the right form of childcare for you, it is time to begin thinking about your specific requirements, drawing up a job description, and looking for a nanny!

THE GREAT NANNY HUNT

I still have a Manila folder labeled "Nannies," although I'm happy to report that it now stands toward the back of my file box. Inside are little bits of paper, circled newspaper ads, scribbled notes to myself in a language unintelligible to those who have never sought childcare ("CPR-trained?" "cared for twins"; "five years w/ one family"; "how discipline?"). There's nothing that brings you up against the sheer terror of parenting like choosing someone to take care of your children. No other hire you make will ever be as important. And nothing precisely prepares you for this decision.

I've gone through three nanny searches all told, and have come to the odd conclusion that in many ways the experience of meeting and hiring a new person bears some resemblance to romance. Consider the parallels: There must be chemistry between you, you enter into the relationship with high hopes and expectations, you tentatively grope toward commitment and the whole thing is essentially a tremendous leap of faith. Both types of relationships are also about love, something first-time nanny-seekers may not immediately realize. The job of nanny exists, in fact, at the intersection of love and commerce - an uncomfortable territory straddling the world of service and the world of the family. Finding the perfect person to care for your own unique family becomes, therefore, a very personal business.

Of course, no one is perfect - not even the "almost-perfect" nanny, and part of hiring is recognizing that fact. Jerry Bohne, owner of three of New York City's oldest domestic-help agencies, says that one of the biggest problems he handles is cutting parents' expectations down to size: "People will come in saying, „I want someone to take care of the kids but also clean, cook, do laundry.“ No one person can do everything, but Americans tend to be penny wise and pound foolish about domestic help. We don't look at it as a profession the way they do in Europe. What's most important is the child's safety, well-being and overall care. Everything in life is a trade-off. I've never yet seen the perfect family - or the perfect nanny."

That said, I have found through uncomfortable experience that it's worth pushing to get as close to perfection as possible. I've settled for situations where only some of my needs were met, and it was almost worse than having no one there at all. Now, after four years' experience on the nanny trail, I have devised my own rules of engagement. Spell out your expectations up front - it's almost impossible to change the rules later on. Don't assume you can't find what you need - one thing that's great about the fluidity of this business is that there are lots of people out there who can be flexible. Don't expect anyone to change: If she says she's uncomfortable driving kids around, you're not going to ease her into it later. And proof of good hiring: If you find yourself learning things from your nanny (my first one showed me that I actually could get my daughter on a schedule), you're close to heaven. Next thing you know, you'll be stocking the cupboards with her favorite foods, taking her on vacations and not telling any of your nanny-hungry friends how lucky you are. Even the nicest people have been known to poach.

WORKING WITH A PLACEMENT AGENCY

You're armed with realistic expectations... you realize that you have what it takes to be a nanny employer... now what? The next decision you need to make is whether to find a nanny through a nanny agency or to search on your own. Nanny placement fees can be expensive. However, working through an agency can save you time and legwork, which for many busy professionals is worth the money. If an agency is a possibility for you, Resources On Call will refer you to agencies that cover your area and provide the type of caregiver you need. A good nanny agency director should return your phone calls promptly; counsel you on exactly what to expect; have a good record with the Better Business Bureau (or consumer affairs office in your area); and provide you with three outstanding parent references. Read the small print before signing an agency contract.

Benefits of Working with an Agency

- An agency has a pool of candidates due to continual recruiting. They pre-screen, conduct personal interviews and require an application and/or resume
- Most agencies provide some background screening.
- An agency should work with you to define your needs and refer candidates to you that meet your expectations
- Some agencies offer extra training, workshops and support groups to educate the nanny and help her feel less isolated

Selecting an Agency

Wendy Sachs of The Philadelphia Nanny Network and past President of the International Nanny Association advises families to thoroughly research an agency's nanny screening process and their policies regarding fees, replacement and guarantee. Understand the agency's role after placement. Are they available for consultation if a problem or question arises? Is there continued support for the nanny? Find out exactly what service the agency provides. Do not expect all agencies to do the exact same thing, but understand their whole placement process.

- Does the agency interview all nanny candidates personally or over the telephone? What is the depth of the background search and reference check?
- What is the accessibility of the agency staff?
- Will you get an answering machine or a person when you call during business hours?

Each agency operates with their own philosophy about their role in the placement process. Ask them to articulate that.

Affiliation with a national trade association such as the International Nanny Association (INA) or Alliance of Professional Nanny Agencies (APNA) demonstrates the agency's commitment to the in-home child care industry. Although these organizations have no enforcement mechanism, their members sign on to abide by Standards of Conduct and Recommended Practices.

Hiring a nanny is a very personal process and you should feel comfortable with the firm you select to assist you.

RECRUITING A NANNY ON YOUR OWN

If working with an agency is not for you, get ready to embark on a self-search. Searching for a nanny involves networking, advertising, screening and interviewing.

Organization is key – get a folder and mark it “Nanny Search” for all the information and notes you will collect during the search.

Recruiting

- Word of mouth. This is an excellent way to recruit. Let everyone – friends, neighbors and relatives – know that you are looking for a nanny.
- Local colleges. Resources On Call will place ads for you at local colleges (or provide all of the information if you prefer to place the ads yourself). Colleges are a good resource for part time and occasional caregivers.
- Newspaper ads. Resources On Call provides information on newspaper advertising (contact information, publication dates, etc.) and will create a sample ad.

Pre-screening

- After placing a newspaper ad, put a legal size notebook and pen by the phone, and let your answering machine work as a screening device for you.
- Record a message that briefly outlines the position and asks callers to leave their name, phone number, the number of years they have worked with children, and any other information most important to you.
- Do not call anyone back who doesn't meet your bottom-line requirements or who does not have experience with children.

Next steps

- Once you have pre-screened the responses, set aside a block of time for returning calls.
- Have a set of questions prepared. Think of the phone call as the initial interview, and try to glean as much information as possible during your conversation.
- Describe the scope of the job to the potential nanny.
- Set up face-to-face interviews with your top candidates.

PHONE INTERVIEW – 10 QUESTIONS TO ASK

1. Why do you wish to be a nanny?

Look for someone whose answers show a love of children. Taking care of children involves a very big commitment. Don't hire anyone who is unsure about being a nanny.

2. What is your childcare experience?

Ask about past jobs, formal nanny training, degrees in child education and classes in childcare. If applicants have worked as nannies before, ask why they left previous positions. Ask about babysitting or other child-related work such as working as camp counselors, playgroup leaders or tutors. Get the names and numbers of three or four references.

3. What are your child-rearing philosophies?

You want to hire someone who can be firm yet gentle and nurturing. Offer specific examples, such as: *It's time to go to school but Robin is throwing a tantrum and won't put on her coat. What would you do?* **Key:** Look for someone with patience.

4. These are the job requirements. Does this sound like something you can handle?

List the specifics of the job, including hours, responsibilities, days off, salary specifics including taxes and overtime treatment, and benefits. If the applicant expects to do only childcare and you expect cooking too, you'll both end up frustrated.

5. What are your hobbies/interests?

Look for a nanny with varied interests, such as sports, art, music, travel, etc. Try to match the nanny's interests with those of your child(ren).

6. What qualities are you looking for in a family? (when hiring a live-in nanny)

When hiring live-in help, chemistry is very important. You want someone whose personality meshes with your own. Some live-in nannies expect to be part of the family, while others view the relationship as that of employer/employee.

7. What was your upbringing like?

Was the applicant's childhood stable? Look for similar values and morals.

8. Do you smoke?

Describe your house rules about smoking. If you smoke, let the applicant know.

9. Can you drive?

Does the applicant have a good driving record? Check with the DMV. Discuss whether the car will be available for the nanny's day off as well.

10. Do you have any dietary or other restrictions?

Any allergies or other medical problems? Ask for a doctor's report of good health.

HOW TO INTERVIEW A NANNY

First and foremost, try to spend a fair amount of time with a job candidate before employing her. In your first interview, start by asking open-ended questions such as:

“Why do you want to work as a nanny?” (If she replies, “Because I like children,” ask, “Why not work in a day-care center?”)

“What did you like or dislike about your last few jobs?”

“What kinds of care and experiences do you think make for a happy childhood?”

Inquire about specific scenarios:

“How would you respond if Ian had a tantrum in the supermarket?”

“What if he suddenly ran a fever one evening, and we were out at a concert and unreachable?”

“There are lots of ways to answer those questions,” says Susan Wasserstein, a New York mother of two. “It’s amazing how quickly experience and common sense” - or the opposite - “can shine through in the responses.” In addition, you should ask for, and check with, at least three references.

Once you’ve narrowed down your choices to one or two, ask about the candidate’s work history as far back as high school, says Wendy Sachs of the International Nanny Association. Pay particular attention to gaps in employment. “Those are the red flags,” she explains. “Maybe she was hospitalized. Or maybe she got fired or decided to leave a job.”

Before discussing salary, most childcare experts say it’s a good idea to meet with a candidate at least three times. Pay special attention to her body language and facial expressions and your own gut feelings. Do you feel relaxed in her presence? Finally, invite her to dinner. “So much of what happens in a family centers around meals,” says Lynn von Kaenel of Columbia, Maryland, who is writing a book about hiring nannies. “Not only does she get a snapshot of your family but you get a good idea of what she is like.”

BACKGROUND CHECKING

Reference checks

Reference checking is crucial in your search for the “right” nanny. Make sure that you call all of the provided names and telephone numbers. This is your opportunity to really ask others about the character and childcare abilities of your prospective nanny. Never take shortcuts. Verify all information. You may find it helpful to use the Nanny Reference Check form we have included in this kit.

Background checks

Background checking provides you with information on your prospective nanny’s medical, financial, driving and criminal history. You can either obtain the information yourself, contacting the necessary agencies and offices, or you can employ a professional background checking service. If you decide to use a professional agency, Resources On Call will refer you to several that perform this service. If you would prefer to pursue this information yourself, you may want to include the following:

- Criminal Conviction History – generally areas the nanny has resided in for the past 5 – 7 years are checked. Documents are contained in county court and state criminal records repositories. The information you can obtain will vary from state to state with differing state laws and privacy acts. You may need written authorization to obtain this information.
- Department of Motor Vehicle records include information on reckless driving, suspended license, etc. You can request a printout from the DMV in the state the nanny resides.
- Credit Report – covers loan defaults, bankruptcy proceeding, court judgements, etc. Can be obtained through credit bureaus. You will need the candidates written approval to obtain this report.
- Medical History – ask the prospective nanny for a written release to allow you to receive a medical background report from his/her physician.

Cross-checking

Before offering the position to a candidate, collect the background check information, references, notes taken during the interview and any application or resume the nanny may have completed and compare all of the information. Examine dates, places and other vital data to verify that it all corresponds.

NANNY REFERENCE CHECK

Name of Applicant _____

Reference Name _____ Telephone _____

In what capacity was this person employed?

How long have you known the applicant?

Are you related?

How long did she work for you?

How often?

How many children did she care for?

What ages?

Why did she leave?

Was she reliable?

Did she show up on time?

Was she sick a lot?

How would you describe her disposition?

Moody?

Cheerful?

Did she use good judgement?

Can she handle an emergency?

Was she responsible for any housekeeping duties?

How did she spend her time with the children?

Did she do creative and productive things?

Was she particularly good with a specific age group?

Would you recommend her as a nanny?

Why?

Is there anything we should know about her emotional or mental stability?

Were there any drug or alcohol problems?

Would you rehire her?

Do you know her family? Have you visited her home?

Additional comments:

THE OFFER

For many parents, presenting a formal offer to a nanny can be a very uncomfortable situation. As with all the previous screening, it is best to be prepared.

Nanny salaries vary throughout the country. You should do research to find the salary range you'll need to offer to be competitive.

Call local agencies and network among friends who have nannies. Resources On Call can refer you to both agencies and organizations such as the International Nanny Association which may also be able to provide guidance.

Once you have screened your ideal nanny applicant, offer her the job with a probationary period of one to three months. You must pay her for all the hours she has worked, of course, but the probationary period allows you and the nanny to have an "out" if the match is not a good one after all. You will want to have a work agreement that you and your nanny sign that spells out the exact job responsibilities, salary, benefits, and house rules for the nanny and children. The work agreement should include the probationary period, termination agreement, and dates when performance evaluations will take place. Be sure to include a date when both parties will review the agreement. At that time the agreement can be renegotiated.

Always propose a starting salary or wage. You should make sure to leave room for salary increases. Let the nanny know your intentions. Give specific periods of time (i.e. every 6 months or every 12 months) that reviews and raises will be given.

Besides salary, there are other factors that often make up part of the job offer.

- Use of an auto
- Gas allowance
- Health insurance
- Room and board
- Travel
- Club memberships
- Vacation time
- Sick days/personal days

Be honest with yourself and the prospective nanny. Address your specific needs. Every household is different, as is every nanny. If you need extra help around the house, or a lot of driving, it is better to communicate that to the nanny up front. Once a job description is created, it is hard to make changes without incorporating a salary increase. Encourage the nanny to speak up with her concerns. If she has a specific need that hasn't been addressed, she should make you aware of it at this point. Let her know that she can take some time to consider the offer, but that you would like a decision by a certain date. It is wise to continue interviewing until a nanny has actually accepted your position. And don't put your eggs in one basket.

THE JOB DESCRIPTION

When Nanny comes to work for the family, a job description is essential. From household to household the issues to be covered are the same - privacy, schedules, mutual commitments, meals, car use, pay day - but solutions vary, so that each family must spell out its own desires. These should then be discussed during the interview process and modified according to the nanny to be hired.

Writing everything down achieves as much for Family as for Nanny because it gets everyone organized. Some of these routines parents will already have formalized, others may be habits, good or bad, that need re-visiting before a new person joins in. Nanny needs to know what the family likes or doesn't, and Family needs to know that she knows. No unpleasant surprises, please.

Here's an outline for a basic description. Agency developed and time-tested, it tells Nanny where she fits into the family's day-to-day operations. In discussing your description, avoid vagueness. Better to be too specific than the opposite. You learn a lot by considering details.

Children's Schedules

- wake-up and bedtimes
- school schedules
- meals
- naps
- toileting/toilet training
- baths
- outdoor play
- activities with other children and anything else that's routine

Hours

Time that each parent routinely leaves and returns

- Time Nanny's day begins and her responsibilities at that hour
- How much time do parents need to unwind before Nanny is free for the evening? (Up to half an hour is the norm).
- At what time does her day routinely end?
- Additional hours that may be needed (weekend babysitting? parents' evening commitments?) Overtime rate (time-and-a-half or local babysitting rates)?
- Although her weekend hours are her own, at about what time will Nanny return weeknights (Sunday-Thursday?) so as to be fresh for work the next day? Note alarm systems, potential for dogs to bark or parents to lie awake for her return, and routines with keys, hall lights, etc.

Privacy

The idea of being a family member needs specifics. Nanny must have her own room, and its privacy must be respected: family members must not enter without permission. Set parameters clearly. Nanny in turn should keep her room clean, free of trash, dirty laundry, and dishes, and make her bed daily, setting a good example for her

charges and showing her respect for the household. Children should know the visiting rules and follow them, and Nanny should not feel apologetic about enforcing them.

Housekeeping

Nannies are routinely responsible for children's meals, laundry, rooms, and personal belongings. Most families also hope that Nanny, as the only person at home all day, will help with miscellaneous chores. Some get paid extra for specific chores. Whatever is done should not be allowed to compete with childcare.

Note the extent to which children can be responsible for their things, including bed making. Will parents pick up after themselves? Put their own dishes into the dishwasher? Make their own beds?

Who does the following for the general household and how often?

- Dust, vacuum
- Clean bathrooms, kitchen floor, refrigerator and/or stove
- Parents and/or children's laundry, ironing

Food

Who makes meals and when? What kinds of foods and for whom? For the live-out, what food is she entitled to? Some live-out nannies cook during the day, leaving dinner for their employers and taking home a portion for their own family, an interesting exchange.

In what rooms of the house may food be eaten? Where can Nanny keep her foods? Keep a shopping list that Nanny can add to as items are used or needed. Who will shop and how often?

A petty cash fund (\$25-\$100) should be maintained so that Nanny does not have to advance children's and household expenses from her own pocket. Where will it be kept, what expenditures should it cover, and how often will it be replenished? Is there a maximum monthly limit?

Pay

Write down the gross wages (weekly pay before taxes), deductions, and net after all deductions (take-home). Avoid penalties and surprises by paying taxes quarterly. Set amounts due aside weekly in a special account.

Nanny needs to know her net pay as well as the amounts (to) set aside for her (estimated) taxes. Family can accomplish this with a single statement in the Agreement or stubs with each check. We recommend keeping tax amounts consistent by paying cash for extra baby-sitting.

What is pay day? You'd be surprised how many families don't stick to a particular payday. Cash or check? (But Nanny should set up her own checking/automatic teller account so that parents don't have to make a special stop to bring cash home for her.) How often will Family review Nanny's pay? Are there bonuses or special perks to consider?

KEEPING A NANNY

So you finally found the perfect caregiver! You worked so hard to screen, interview and check references. It was difficult, but you did it. Your job is over.

Or is it?

Because quality childcare services are in such high demand, you need to offer a decent salary, fair terms of employment, professional respect, as well as benefits and incentives.

Realistic Expectations

If you want competent childcare, you won't find someone who can keep your house in perfect order as well as give lots of quality time to your children. Your caregiver is not a servant or your children's servant. She is your partner, whose inclusion in the family is essential to healthy family functioning.

Her primary focus during the day is the welfare of the children under her care. Her primary responsibilities, in addition to direct supervision of the children, are all child-related tasks such as meal preparation and clean-up; general maintenance of the children's rooms, bathroom, and play area; transportation of the children to and from school and other activities; and the children's laundry.

For general household cleaning, I would suggest hiring a separate person to come in one or more days per week to handle the heavy chores.

Fair Terms of Employment

A caregiver will provide childcare up to twelve hours per day. If you need extra care overtime, i.e., evening, overnight or weekend services, don't assume your caregiver will do it. A caregiver is great in emergencies, but she should be able to count on her time off at the end of the scheduled work hours. Have a back-up sitter or offer an incentive to earn extra pay (or extra time off) in exchange for additional work. Work overload can result in "burnout." The family and the caregiver need to communicate their feelings and needs to each other so that stress can be regulated.

If your caregiver has agreed to non-child related duties such as cleaning or household laundry, pay her extra for those tasks. That way, if the children were sick or had lots of activities and she didn't get around to the non-child-related tasks that week, you can deduct the extra pay from her salary (and neither of you will feel the worse).

Offer job benefits and incentives, the usual ones being vacation, holiday and sick leave pay. Some others to consider are health insurance; a car for private use or paid car insurance premiums; national or international travel with the family (with the same time off she has when working at home); completely separate or unusually attractive accommodations; membership in family clubs or sports facilities; and provisions of special dietary foods.

For the live-out caregiver, an incentive can be something as simple as letting her do her laundry at your home.

Some families may choose to give bonuses, instead of raises every six months, and this is a great way to show appreciation for your caregiver. A bonus can be in the form of extra days off, cash or a trip home at Christmas. Whatever it is, let it be something that will contribute to her happiness and sense of belonging.

Drawing Up A Contract

Define your needs clearly in writing with a detailed job description, so there are no surprises later. Write a contract (also known as an agreement) that confirms her acceptance of the duties to be performed, and both of you sign it. The contract will help get everyone through the first months. Then learn to communicate effectively.

Scheduling Communication

Learn to exchange valuable information. Set time aside at least once a week to talk. Encourage your caregiver to write daily events in a journal so you feel more involved in the children's daily lives. This also protects the caregiver who wants to show how she spent her day, to log overtime accumulated, to voice concerns, to discuss the child's development and to note pending appointments, trips or engagements.

When expressing concerns and complaints, address issues immediately. Do not avoid grievances, as they can be blown out of proportion if left to be resolved later, and this can result in hurt feelings and a damaged relationship. Maintain a satisfying relationship by expressing positive feelings and giving encouragement.

Understanding Problems

Anticipate potential problems by understanding the difficulties your caregiver will face in learning her job and your children's idiosyncrasies. Share with her your views on your lifestyle and philosophy of raising children. Understand that some days are not going to run as smoothly as others do.

Allow her freedom to take the children out of the house or to have a visitor over. Isolation is the second largest problem that leads to "burnout."

Let your caregiver feel she can enforce rules or discipline, and never demean her in front of the children. Your children will not have respect and affection for your caregiver if they sense animosity coming from you. Mutual support and respect is vital in trusting each other.

Yes, this can all be a real challenge. You not only have a responsibility to provide your children with the best caregiver, but to also be the best employer and the most likely to succeed.

GETTING THE BEST FROM YOUR NANNY

Every family wants essentially the same from their nanny, someone that they feel their children will be safe with and that is engaged and loving. Assuring that these goals are being met is the challenge for each parent. Obviously, if you fear in any way for the safety of your child that needs to be resolved immediately. Safety is the bare bones minimum that every family should expect from their nanny-and only the starting point to build upon.

Fortunately, in spite of the media, few nannies abuse their charges. Once you are sure of your child's safety there are many other issues to consider. Some of them are:

- The ages of your children. How many children is she responsible for.
- Salary?
- What was she hired to do?
- What are your expectations?
- Do you feel that she really enjoys working with your children or is it just a job?
- Is there an open line of communication between you and she?
- Is there a mutually respectful relationship between you and she?

Let's take a look at each of the above points.

- The ages and number of children she is responsible for can really compromise a nanny's effectiveness. It is important that the nanny have suitable skills for the ages of your children. Some nannies are great with one infant and cannot handle more than one child, or older children. Older kids require a nanny that can set real limits and command the respect of their charges. If your nanny has several kids to take care of, plus your home, it's a safe bet that something is being compromised. Most every nanny works hard for her money and families need to be on the lookout for an overworked nanny. It seems obvious but a nanny who is overburdened and under appreciated cannot be giving your children her best.
- Salary is an important issue because what you can reasonably expect from your nanny is determined to a large extent by salary. A nanny with self-esteem will not work below what her market salary is. A nanny with low self-esteem will be influencing your children in ways that may not be beneficial to them. There is a marketplace and each skill a nanny brings to the table has a value. These skills are: experience, fluency, literacy, driving, awareness of child-development and education. The more of these you want the higher her salary is going to be.
- What are your expectations? Do you want a person who's going to clean your home and take care of the kids? Or do you want a person that will be able to educate your children and know age appropriate play and developmental stages? It's not likely that the same person will be good at both, or even do both. The fundamental conflict is that a "nanny" is not going to do general housekeeping. If she is chances are she's going to be looking for a new job sooner rather than later. Many problems arise

because the family is not realistic about what to expect from their nanny and/or then change the job description after she has been hired and on the job.

- When a nanny is hired it should be made as clear as possible what her responsibilities are. Her hours need to be defined and kept to. Live-in nannies must have a beginning time and a reasonable time when their day is over. This should all be put in writing at the time she is hired. If changes are made think about what the impact will be on the nanny and solicit her opinion. Remember that she is taking care of your children and everything you do will impact how she cares for them in one way or another.
- Do you feel that she really enjoys working with your children or is she doing this simply as a way to make a living? I think we have all seen nannies that look bored and disengaged from their charges. One of the things to look for is your child's reaction when your nanny arrives and leaves. Is he/she happy to see her arrive and sad to see her go or is he/she scared and crying when she arrives.
- As in all human relationships communication is often what makes the difference between a successful relationship and a failure. Nannies in general are child-oriented and have a hard time being direct or confrontational with their employers. There can also be cultural issues to further complicate things. I have spoken to dozens of nannies that are unhappy on their jobs and they often show their displeasure by voting with their feet, rather than try to work things out. Many of these departures could be avoided if only the nanny and the family had spoken about the problems before it reached a crisis. We encourage both nannies and families to get their issues out in the open. It usually isn't realistic to expect that your nanny is going to come to you. You more often than not are going to have to take the initiative, and then be prepared to listen. You may get an earful. Note whether you feel that she has been able to be open with you. If not, she may be holding back things she is reluctant and afraid to say.
- The best nanny/employer relationships are where there is a mutual respect between each party. Do you really like each other and feel that you know each other? The relationship with your nanny is unique and at its best enriches everyone, and most importantly, the lives of your children. Nannies need to feel valued in order to provide the nurturing, loving relationship that is so important for your children. When it works well the nanny will touch your children's lives in ways that will always be with them, and perhaps you as well.

A NANNY CONTRACT: WHY IT'S USEFUL

Do I need a contract when I hire a nanny?

A contract is not legally required but it is a good idea. Consider your employment agreement your own version of a company manual. The act of drawing one up engages you and your nanny in a conversation you should have anyway about the ground rules of the arrangement, and sets them down clearly and concisely. A contract also protects you both if problems crop up; you can refer to it later if you need to resolve an issue.

What should a contract cover?

Basically, anything and everything related to your nanny's job -- no detail is too small. If you're providing room and board, for example, you may want to pay for the nanny's own phone line, but not for long-distance charges or Internet access. You should also spell out any other benefits, such as holidays, and personal and sick days, although you're not obligated to pay your nanny for these. Doing so is a good idea, though -- after all, you welcome these job benefits for yourself, and so will she. Your contract should also have information about:

- Work hours (for example, 8 a.m. to 6 p.m.)
- Benefits (such as health insurance, paid holidays, etc.)
- Wages and pay schedule
- Duties
- Special considerations
- Emergency plans

How do I draw up an agreement?

You can write one yourself. Although you may think of a contract as a daunting legal document, writing one is pretty straightforward as long as you think through what to include. If you like, you can have a lawyer review it after you've written it.

Make sure both you and the nanny sign and date the contract, and make copies for each of you. If you have minor changes (for example, instead of ending her day at 5 p.m., you agree to move it to 6 p.m.), make sure you both initial the amendments and each get a fresh copy.

You may want to include a clause that requires revisiting the contract on a certain date. When that time comes, you can amend the agreement as you see fit. Of course, you'll have to redo the agreement sooner if you have any major changes in your household, such as a new baby. Better yet, anticipate as many possible changes as you can and explain in the original contract how you will handle them. For example, you could include a clause guaranteeing a pay increase for every additional child.

How do I make the contract binding?

As with any employment agreement, a nanny contract is hard to enforce. But with one in place a smooth relationship is far more likely because you worked out so many details ahead of time.

SAMPLE CONTRACT

N.B. – this is a sample, not a legal document.

Name(s) of employer(s): _____
Address: _____
Name of nanny: _____
Address: _____
Social Security Number: _____
Number of children: _____ Names of children: _____
Start date: _____ Place: _____

Compensation and Benefits:

Pay: \$ _____ per week/month/hour to be paid

Taxes: (Explain how taxes will be handled) For example, “Employer will deduct all applicable taxes from the nanny's paycheck and make tax payments to the IRS”

Health insurance: Employer agrees to pay (all or put specific dollar amount) of the nanny's health insurance, provided by (add name of insurance company).

Paid vacation: _____ week(s) per year. Nanny will give employer _____ weeks notice of any upcoming vacations.

Paid holidays: (List any that apply, for example, Christmas, Easter, etc.)

Room and board: yes/no (If yes, list benefits, such as telephone line, food stipend etc.)

Extras: (Gym memberships, eye exam fee, dental cleanings, etc.)

Schedule:

Nanny will work _____ hours a week. Employer will pay \$ _____/hour for extra hours

Nanny's work hours are between _____ a.m./p.m. and _____ a.m./p.m. from (list days)

Days off: (list days) _____

Sick days: _____ days a year

Personal days: _____ days a year.

Nanny will give employer _____ days notice for personal days taken, and will call by _____ a.m. the first day of illness.

Duties:

List the nanny's responsibilities. Be specific. For example, taking junior to playgroup or to the park every Wednesday at 3 p.m., doing the child's laundry every Friday, giving medications on time when necessary, feeding the baby every two hours, etc.

Transportation:

Use of car to transport child: yes/no

Logistics: If yes, specify whose car (the nanny's or parent's) she'll drive, and who will pay the car insurance. If it's the nanny's car, state that you will provide a car seat

Parenting Philosophy:

Naptime method: (specify nap time each day; whether nanny can let baby cry it out, and for how long, how many times during the day a nanny should put baby down, etc.)

Discipline: (specify whether you want the nanny to discipline by using time-outs, etc.)

Television: yes/no. If yes, how many hours a day? _____ hours

Meals: (List how many meals a day, what your child is allowed to eat, and what he isn't)

Hygiene: (List specific rules; e.g., nanny must wash hands before/after diapering, etc.)

Safety: (Specify areas in your house and outside where your child is not allowed, and any other safety rules to be enforced)

Authorization to release child: (List anyone who is allowed to visit or pick up your child during the day, for example, grandparent, your older sister, etc.)

Emergencies:

If a medical emergency arises, the nanny should (list appropriate measures here).

(Enclose a letter authorizing your nanny to take your child to the doctor or emergency room and seek medical care.)

Nanny must contact the parents immediately.

Mother's phone number: _____

Father's phone number: _____

Reviews, Raises, and Grievance Procedures:

The employer agrees to review the nanny every _____ months.

Cost-of-living raises will be given every (year/____ years/depending on review).

If nanny has a grievance, she can (list appropriate measure here).

Changes and Amendments:

In the event of the birth of another child, (list here if nanny and employer must discuss first if nanny wishes to continue employment, or if she will receive more money per week for the care of the new baby, and how much)

Contract can be changed or amended if both parties agree: yes/no

Notice of Termination:

The nanny must give _____ weeks'/months' notice of termination in writing.

The employer must give nanny _____ weeks notice if her services will not be required.

Should the employer terminate the agreement, employer agrees to pay all wages up to and including nanny's last day of work. yes/no

Signatures:

Nanny

Date

Parent

Date

Parent

Date

NANNY TAXES

Unlike other forms of childcare, hiring a nanny involves becoming an employer. Several celebrated cases have made it abundantly clear that employing someone to work in your home carries with it certain legal and tax obligations.

In general, the Internal Revenue Service requires payroll tax filings by a domestic employer who pays a household employee more than \$1100 (1998 threshold, years 1995 - 1997 were \$1000) cash wages in a calendar year. There are a number of firms that now specialize in handling tax and payroll issues for families with nannies. If you are interested in looking into their services, Resources On Call can provide you with referrals.

1. What taxes do I pay?

Social Security & Medicare Taxes (7.65% of gross wages).

Federal Unemployment Tax (FUTA) (0.8% of gross wages or less in most circumstances).

State unemployment and disability insurance taxes levied on the employer.

Advance payment of the earned income credit for eligible employees.

2. What taxes does my employee pay?

Social Security & Medicare Taxes (7.65% of gross wages)

Employee Disability/Unemployment Taxes, where required.

Federal/State income taxes

3. How are the employee's payroll taxes paid?

You, the employer, are required to collect the employee's social security and Medicare taxes. Should you fail to collect, you remain responsible to remit these taxes for the employee. Deducting federal income taxes and most state income taxes is optional.

4. How often do I need to pay these taxes?

Employers of domestic workers must, at a minimum, make annual payments for Social Security, Medicare and Withheld Income Tax (if applicable). Wage reporting must occur quarterly. Generally, state unemployment taxes and withheld state income taxes must be paid on a quarterly basis and Federal Unemployment is due annually. You are required to give your employee a wage and tax statement (Form W-2) no later than January 31.

5. My nanny says she's an independent contractor and doesn't want taxes withheld. Can I do that?

The simple answer is no. The IRS has strict guidelines to define employees and independent contractors (Refer to IRS Publication 926). Nannies and other domestics are generally considered employees.

6. My employee is not a legal resident. What should I do about employment taxes?

The IRS maintains that the immigration status of your employee has no bearing on your obligation for employer taxes. The IRS requires that workers ineligible for Social Security Numbers file form W-7 to request an Individual Taxpayer Identification Number. This number will be used on all tax reports and returns, including Form W-2. The IRS is currently prohibited from sharing this information

with the Immigration and Naturalization Service by law. Non-payment of taxes is a reason for an alien's immigration petition to be declined.

7. What is “New Hire Reporting”?

Effective January 1998, Federal welfare reform legislation (Personal Responsibility and Work Opportunity Act of 1996) requires all employers to report information on all newly hired workers within a specified period, generally 2 weeks, or incur a penalty. Each state has designated an agency responsible for the collection of data and enforcement of the requirement. These laws are intended to expedite enforcement of child support orders.

8. I have heard that I can get a personal tax break for childcare? Is that true?

There are two popular strategies that families use to minimize their personal income taxes. Many families can utilize a flexible spending plan (cafeteria plan) offered by their employer for child and dependent care expenses. Your human resources department can provide you with plan details. Another strategy is the Child Care Credit available to many parents. This credit can directly reduce the parent's income taxes by between \$480-\$1,440 a year.

9. Is health insurance for my nanny taxable?

Health insurance may be provided as an employee benefit. The employer generally pays the premium directly to the insurance carrier and the premium is not taxed as income to the employee.

10. How do we handle the taxes if we share a nanny with another family?

Generally, when you share a nanny with another family, you both become employers. Presuming that you each pay the nanny for the work performed for your individual family, each employer is responsible for withholding payroll taxes and the periodic remittances of payroll taxes.

11. What may happen if I don't pay the taxes?

Failure to report domestic wages paid after January 1, 1995 will compromise the validity of your personal income tax return. Additionally, there is no statute of limitations on the failure to report and remit federal payroll taxes. You are most likely to be “caught” when a former employee files for unemployment or social security benefits. Employers are generally required to pay back taxes, penalties and interest charges, and usually professional fees for an accountant and/or attorney.

12. Do the rules ever change?

Yes. Many rule changes resulting from the Federal “simplification” are still being defined. For example, in 1997 all household employers are required to submit Form W-3 to the Social Security Administration for the first time. Effective in 1998, Federal household employment taxes are subject to penalties if not paid in periodically by the employer, either by submitting quarterly payments or adjusting withholding on the employer's paycheck.

INSURANCE BENEFITS

When a family decides to hire a nanny, there are other benefits that need to be provided besides salary. Many states require Worker's Compensation and, of course, all government requirements for employees must be adhered to.

Workers Compensation

Workers compensation insurance protects the domestic employee and the employer from the expenses and liabilities associated with a work-related accident. A single accident can leave the employer liable for thousands of dollars in medical bills. Don't assume that this liability is covered under your Homeowner's Insurance Policy!

Most states require household employer to carry Workers Compensation insurance for their employees. The legal requirements for obtaining this insurance vary widely from state to state, with wages paid or hours worked usually the defining item, not job description.

Typically this insurance is available through commercial insurers. Domestic employers should discuss their requirement for this insurance with their Property/Casualty agent. You may also need to update your automobile insurance if your domestic drives your personal vehicle.

Health Insurance

Many families wish to provide health insurance as an additional benefit, as a company might provide health insurance to its employees.

There are two approaches to health insurance; permanent health insurance and temporary health insurance. Permanent insurance can be renewed each year, even if the nanny comes down with a serious medical condition such as diabetes or heart disease. Short term insurance is written for a specific period of time, i.e. six months. If someone develops a medical condition during the policy period it will be considered pre-existing under future plans.

The cost difference for the two types of plans is remarkable. Typically, the short-term plan costs less than half of the permanent insurance premium. The short-term plan can be used for years, although each company generally will insure someone for one year only. Several companies need to be used with this strategy.

The permanent plan is usually used for a nanny that will be staying with a family for years, or will be a career nanny for the foreseeable future and wants the protection only permanent coverage can give. A nanny that gives a one year commitment and plans to stay in child care for a short period of time; i.e. one or two years, would be a good candidate for short term health insurance.

NANNIES AND THE FAIR LABOR STANDARDS ACT

The federal Fair Labor Standards Act (FLSA) governs minimum wages and overtime pay for most employees. In general, the FLSA requires that most employees receive at least the minimum wage for all “hours worked,” plus overtime pay at time and one-half their regular rates of pay for all hours worked over 40 per week.

There are a variety of “exemptions” to these general rules, several of which may apply to individuals employed as “nannies.”

Neither the statute itself, nor the regulations that implement it, uses the term “nanny.” However, the regulations do define “governess” and “babysitter employed on other than a casual basis” who work in private homes as “domestic service employees.” These employees are entitled to the FLSA minimum wage guarantees but not the FLSA overtime guarantees. Thus, “live in” nannies must be paid at least minimum wage for each hour actually worked, but need not receive overtime pay no matter how many hours they work.

Nannies may be paid “on salary” rather than “by the hour,” but if so the “salary” must be at least as much as would be required under the hourly rate(s) of the minimum wage laws. In other words, a “salary” must be translated into an hourly rate to determine whether wages comply with the FLSA. The arithmetic formula is to divide the total compensation received into the total number of hours worked, on a weekly basis. The quotient must be at least minimum wage.

“Hours worked” includes all the time actually spent “on duty” performing job activities. The normal FLSA rule for an employee who resides on an employer’s premises is that “sleep time” and “meal time” are hours worked. However, under certain, specific circumstances, the law permits sleep time and meal time to be excluded from hours worked. One “rule of thumb” is that time need not be included as work time if the employee is free to leave the premises for private purposes.

The law permits the reasonable cost or fair value of meals, lodging or other facilities customarily furnished by the employer and which are primarily furnished for the benefit of the employee, to be considered as wages. Therefore, an employer of a live-in domestic service worker may credit the reasonable costs (or fair value) of room and board against wages owed. The U.S. Department of Labor may set the amounts, which may be credited in this way. If the employer requires a live-in nanny due to travel, work schedule, etc., the room/board may be deemed primarily for the employer benefit, and not deductible.

The FLSA rules governing the employment of domestic service workers can be complicated and complex. While this article contains an overview of several of the pertinent requirements, it is informational only and not intended as legal advice. Both employers and employees may be well advised to contact the nearest office of the U.S. Department of Labor for further clarification. Additionally, DOL publishes several “fact sheets” on the FLSA, which are available from DOL directly and through their web site. It is also possible that state labor laws contain additional regulations and requirements that may apply to nannies.

OPEN LETTER TO ALL WHO EMPLOY A NANNY

I am lucky to work for a family that I can love and who loves me in return. We are a family that works together all year long. They express their appreciation on a day-to-day basis, not only in raises, which are nice and should be given, but in other ways, too.

Having a private room, use of a car, free food, etc., makes a nanny's job an exceptional one. You as an employer provide those perks because you understand that your nanny has the most important paid job in your home – much more important than mowing the lawn, or cleaning the house. Knowing that s/he keeps your children safe and loved and that your household is running smoothly allows you to do what you do every day. How well your nanny does that job has a lot to do with how appreciated she feels.

As a working person you know what it is to have an important job, but that doesn't always mean you feel appreciated. Nevertheless, your situation is different from the nanny's in that you also have a family to go home to that makes you feel loved and valued. Your nanny has some of the same pressures, without a family to go home to. That difference is important. Recognizing it can be the basis of a great relationship between nanny and employer.

I urge you to start with open communication. Let your nanny know that she can always talk to you. When she is working with the children, let her be in charge. Encourage her to be accountable for her responsibilities. If you disagree with her approach, tell her privately. By teaching her what you know - and learning from what she knows - you build mutual trust.

Let her give your children new experiences. Start little by little, so you can review the results together and establish a routine that makes sense for everyone. If your children are very active, invest in a pager or cell phone for her to carry so you can always stay in touch. A good nanny wants to be active in children's lives.

Show your nanny that you appreciate her. Leave a note where she will find it. Tell her she is great. Drop a card in the mail for her. Remember her birthday and special holidays. Invest some time with her, as any wise manager would.

Remember, you all live under the same roof. Things are not always going to be perfect. Things get said or done that could cause bad feelings. Both sides need to apologize when they are wrong. If you do, both sides will feel they are respected.

In closing, I would like to add something to all you nannies out there: it's a two-way street. If you have a great boss, let him/her or both of them know it. Tell them that you think they are great, listen to what they have to say, remember Boss' Day, their anniversary, the holidays they celebrate. Offer to take the kids sometimes so they can be alone together. You'd be surprised how much better your relationship works when you work on it together.

These are the guidelines that my employers and I live by. I know that they appreciate me, are there when I need them, and care about me as a person. They in turn know that I love and respect them, that I will always be there when they need me. Doing unto others as you would have them do unto you really does work.

NURTURING NANNY

It's a seller's market for good nannies, with demand far exceeding supply. Therefore, it behooves parents to make sure they keep a good nanny once they find one.

The foundation for success is laid during the interview process with expectations on both sides clearly outlined – hopefully in writing. This agreement should cover work-related issues, family life issues, when parents should be contacted at work, car privileges, vacation etc,

“The best caregivers will become part of the family, yet parents must never forget that they are an employer and must treat their employee with support and respect.” says Cora Hilton Thomas, author of “The Complete Nanny Guide.” Parents should remember that “investing in the caregiver is making a difference in their child's life.”

Mary Clurman publishes the Nanny News. She believes that a successful relationship combines the warmth required for this in-home job with professional worklike standards. Mrs. Clurman notes six minimum things employers should do:

- Create and adhere to a schedule.
- Don't pay your nanny under the table.
- Put a reasonable limit on the responsibilities – remembering that the primary responsibility is childcare.
- Make sure the nanny has access to a car, especially if she is a live-in.
- Provide medical insurance. This can be done for as little as \$50 a month and protects the family as well as the nanny. In a competitive market, benefits can mean the difference between keeping and losing a good nanny.
- Have frequent and realistic communication.

“Remember that, in general, nannies have a nurturing nature, and they can use some nurturing themselves,” says Mrs. Clurman. “Give regular feedback – positive as well as critical.”

Parents must understand that when they hire a nanny they are accepting responsibility for an unlicensed, unregulated and largely unsupervised job, says Helen Clark, of Live-Work Strategies, Inc.

Mrs. Clark says the most common frustration expressed by both nannies and parents is “a lack of professional boundaries.” “It's very hard to be in someone else's home and discipline someone else's children,” she says. “On the other hand, it's very hard to come home from work and turn into an employer as soon as you open the door.”

Mrs. Clark says the key is building trust and then establishing comfortable boundaries for everyone on the basis of that trust. For the parent, this means treating the nanny as a professional – dealing with all legal, tax, wage and evaluation issues. For the nanny, it means operating within family guidelines, values and rules.

“Too many parents search for childcare with a price tag on their minds,” Mrs. Thomas says. “We have to quit putting a money value on everything and start looking at a moral value.”

TERMINATING A NANNY

Once you have employed a nanny, circumstances may dictate that you terminate the relationship.

Try very hard to determine whether the relationship can be salvaged. Many times one party is unaware of the feelings of the other. Communication with specifics is encouraged.

If it is apparent that a resolution is impossible, then the nanny should be terminated. However, consider the following information before abruptly giving notice.

- Carefully review the terms of termination within your contract. If you have consented to written notice or the opportunity for the nanny to bring the level of her services up to your standards within a specific time period, then you should abide by the contract. By not doing so, you could be leaving yourself open to a lawsuit.
- To protect yourself from this potential situation, it is best to include a written condition within your contract that you will maintain the exclusive right to terminate employment without prior notification.
- Treat the situation as objectively as possible. Be very careful not to let emotions become the issue. Keep all records of her employment for future reference.
- Under most circumstances, two weeks severance pay is advisable.
- If the reason for termination is based on changes from within your own family's needs, and you have been pleased with your nanny's job performance, then you may want to give her a bonus or personal gift. You should also write a letter of recommendation. Writing a good letter of recommendation is an excellent way of expressing your appreciation for the services that your nanny has provided.