

## **Bills would boost pay for home-care workers**

By Brett Coughlin

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Democrats in the House and Senate are expected to introduce legislation that would require home-care workers be paid at least the minimum wage and receive overtime.

Calling these workers the “linchpins” of the long-term care industry, Rep. Linda Sanchez (D-Calif.) said she wants to help these workers continue to care for 13 million seniors and disabled patients. Yet, she said, 46 percent of these workers rely on some type of public benefit themselves.

In the Senate, an aide to Sen. Bob Casey (D-Pa.) said he is expected to introduce companion legislation.

An aide to Casey said that “given the impact this legislation will have on seniors and families, we are optimistic that this will have wide support.”

The Sanchez bill, the Direct Care Job Quality Improvement Act, would modify provisions of the Fair Labor Standards Act to extend wage and overtime protections to home-care workers, require data be collected at the state and federal level on compensation levels for these workers, as well as track turnover rates of these workers. The bill would also extend grants to states in order to recruit train and retain direct care workers.

“Paying higher wages for workers and home-care workers are not usually high on their agenda,” Sanchez said about Republican support for the bill, which may be difficult to win.

“They do have grandparents though, which is the ironic thing, because you would think that it would make it more likely that they would understand the need” for the legislation, she told POLITICO. Nonetheless, Sanchez said she will reach out to see if House Republicans are willing to back the bill.

A Senate aide tells POLITICO that Special Aging Committee Chairman Herb Kohl (D-Wis.) and Health Education and Labor Committee Chairman Tom Harkin (D-Iowa) are both reviewing Casey’s legislation.

“We’re taking a look at the bill,” the aide said.

Dennis Fitzgibbons, executive director of Maine’s Independent Living Center, Alpha One, said that the core ideas of the Sanchez bill could resonate with Republicans.

“Think about it for a second, what we’re talking about is keeping people in their homes longer. We’re talking about personal responsibility,” he said.

Fitzgibbons said that similar state legislation is moving in Maine and has broad support. He reminded that Republicans control both houses of the state Legislature and the governor, Paul LePage, is also a Republican. The bill is sponsored by state Rep. Matthew Peterson (D-Rumford).

The Sanchez legislation has not yet been officially scored by the Congressional Budget Office.

Former President Bill Clinton promulgated regulations, on the last day of his presidency, that would extend the Fair Labor Standard Act’s requirements to home-care workers, but former President George W. Bush failed to finalize the rules. The Department of Labor is working to reissue those regs, but there are questions about the number of lawsuits this approach would spur from workers who feel they have been short changed between 2000, when Clinton left office, and mid-2011.

So Sanchez and the New York City-based Direct Care Alliance are hoping to codify the wage protections in law.

Sanchez said that there is an expected “tsunami” of seniors who are going to need home-care support in the next few years and the bill would ensure that the quality of the home-care workforce is ready to meet the challenge.

Sanchez mentioned one dubious distinction that Forbes has bestowed on home-care workers — the group has made the magazine’s 25 worst-paid jobs in the country list for years, ranking even below parking lot attendants.

The California congresswoman, whose own father suffers from Alzheimer’s disease and is cared for in part by a home-care worker, said that it “says something about our country that the safety of our automobiles is more important than the safety and the care of our loved ones.”