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PROPOSED BILL IGNORES HOME CARE CRISIS

DCA urges advocates for home care workers, consumers to contact their representatives

Washington, D.C. (October 4, 2011) – [H.R. 3066](#), a bill introduced to the House by Rep. Lee Terry (R-NE), would destabilize a crucial workforce by ensuring that home care workers continue to be denied minimum wage and overtime protections under the federal Fair Labor Standards Act (FLSA).

Personal and home care aides are among the fastest-growing workforce sectors in the nation. They provide a critical service to frail elders and other people with disabilities, yet they average less than \$10 an hour and commonly receive few or no benefits such as health insurance or paid time off. These conditions contribute to the profession’s high turnover and job vacancy rates, which threaten the continuity of care that is key to care quality.

The FLSA currently covers most full-time U.S. wage earners, including direct care workers in nursing homes and other institutional settings. But it exempts workers who provide “companionship services,” and the U.S. Department of Labor has ruled that home care workers belong in that category.

Advocates for home care workers and the people who rely on their services are working on two tracks to overturn this so-called companionship exemption. They have asked the Secretary of Labor to exclude home care workers from the companionship exemption, and they are supporting [The Direct Care Job Quality Improvement Act](#), which has been introduced in both chambers of Congress. Rep. Terry’s Companionship Exemption Protection Act aims to institutionalize the exemption, amending the FLSA to specifically exempt home care workers and stripping the Secretary of Labor of the power to reinterpret the law.

“This bill would weaken a workforce that needs and deserves our support, making it more difficult for our elders and people with disabilities to find reliable in-home care,” says David Ward, Director of Policy and Planning for the Direct Care Alliance.

Advocates for home care workers and consumers may use the DCA’s website to urge their representatives to reject H.R. 3066 and [support The Direct Care Job Quality Improvement Act](#).

The Direct Care Alliance is a nationwide and state-based alliance of direct care workers, employers and people of all ages and disabilities who use long-term services, care and supports. We are united to build an empowered and valued professional direct care workforce essential to ensuring high-quality services and a life of dignity, respect, autonomy and opportunity for all to participate in community life.

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