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**Home Care Workers Poised to Win Basic Labor Protections**

*Proposed rule extends minimum wage and overtime protections to home care workers*

Washington, D.C. (December 15, 2011) – The fight to win basic labor protections for home care workers may soon be won, thanks to a proposed rule announced today by President Obama and U.S. Secretary of Labor Hilda Solis. The rule would extend minimum wage and overtime protections to these workers under the federal Fair Labor Standards Act.

Home care workers are currently excluded from minimum wage and overtime protections because they are considered mere “companions,” an outdated ruling that fails to account for the health and personal care services they provide to elders and people with disabilities. “Extending minimum wage and overtime protections to home care workers has been the Direct Care Alliance’s flagship issue since the Supreme Court ruled against Evelyn Coke,” says Leonila Vega, executive director of the Direct Care Alliance (DCA). “We are delighted that the end of this injustice is in sight.”

Evelyn Coke was a home care worker who challenged the companionship exemption in court. Her case went all the way to the U.S. Supreme Court, which ruled in 2007 that DOL was acting within its authority in upholding the exemption. “The nearly 2 million in-home care workers across the country should not have to wait a moment longer for a fair wage. They work hard and play by the rules and they should see that work and responsibility rewarded,” said President Obama in a [White House press release](#).

The rule was announced today at an event at the White House. Advocates from across the country were in attendance, including home care worker and DCA Board Chair Tracy Dudzinski. “I was thrilled to be part of this special occasion,” says Dudzinski. “It’s encouraging to know that direct care workers’ voices are being heard by the Obama Administration. My state, Wisconsin, happens to have minimum wage and overtime laws that cover home care workers, but hundreds of thousands of my peers in other states don’t have the same protections. That’s just not right.”

DCA member Elizabeth Castillo, who has been providing home care in El Paso, Texas, for more than a decade, is one of those workers. “I am so grateful to Secretary Solis and her staff for their support on this issue,” she says. “I earn less than \$8 an hour, so without overtime pay I usually have to work at least 50 or 60 hours a week. If I got time and a half for overtime, I could work less and make a better life for myself and my family.”

The proposed rule will soon be open for a public comment period, after which DOL will decide whether or not to issue a final rule.

The Direct Care Alliance is the national advocacy voice of direct care workers in long-term care. We empower workers to speak out for better wages, benefits and training, so more people can commit to direct care as a career. We also convene powerful allies nationwide to build consensus for change.

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