



Quality Care
THROUGH
Quality Jobs

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**IN RESPONSE TO FEDERAL LAWSUIT, WORKERS, CONSUMERS AND ADVOCATES
CALL FOR FEDERAL MINIMUM WAGE AND OVERTIME PROTECTIONS FOR
NATION'S TWO MILLION HOME CARE WORKERS**

***Securing Basic Protections for Home Care Workers Is Crucial to Strengthening
Critical, Growing Workforce***

Washington, DC – Home care workers, patients and advocates gathered on the steps of the E. Barrett Prettyman Federal Courthouse on Thursday to argue for basic minimum wage and overtime protections for home care workers. Two million home care workers in America are currently excluded from the basic labor protections that workers in other industries take for granted. Organizers included Caring Across Generations, the National Domestic Workers Alliance (NDWA), the National Employment Law Project (NELP), PHI (Paraprofessional Healthcare Institute), and the Service Employees International Union (SEIU).

The press conference coincided with oral arguments being heard at the United States Court of Appeals for the District of Columbia Circuit in the case *Home Care Association, et al. v. Weil, et al.*, a lawsuit brought by for-profit home care associations against a new Department of Labor rule that would grant home care workers the right to minimum wage and overtime protections under the Fair Labor Standards Act.

"I have been a home care worker for 8 years. I do not get any overtime – it's \$9 an hour no matter how many hours we work and no matter how many years we have been on the job," said **D'Rosa Davis, a home care worker from Atlanta**. "My family is just scraping by. Like any mom, I want to be able to spend time with my kids and afford the things that they need. But with just \$9 an hour, what choice do I have?"

Home care consumers, family caregivers, and advocates also spoke out and argued that granting minimum wage and overtime protections to home care workers is not only the right thing to do, it is also essential if we're to meet the needs of our rapidly aging population as well as people with disabilities who rely on aides to live independently at home.

"I believe that our direct care workers are the backbone of the home care industry. If we are to retain a compassionate and skilled workforce, we absolutely must pay them a living wage, overtime pay, and other benefits," said **Marla Lahat, executive director of Home Care Partners**.



Home care is one of the fastest-growing occupations in the country, and is projected to add over one million new jobs to the US economy over the next decade. Yet despite the increasing demand and critical services these healthcare professionals provide, they earn poverty wages. More than half of all home care workers rely on public assistance to support their families, and one in two leave their jobs every year due to the poor working conditions.

"It's appalling that an entire sector of the workforce doesn't receive the most basic labor protections. These workers are an invaluable part of our economy--they make all other work possible," said **Sarita Gupta, co-director of Caring Across Generations and executive director of Jobs with Justice**. "Extending minimum wage and overtime protections to this critical workforce is only the first step to ensuring a stable home care workforce. We have the potential to turn these jobs into high-quality jobs that drive the kind of economic growth that benefits working families. Quality home care jobs mean families can be at peace knowing their loved ones are receiving the best possible care, and mean workers can live with dignity and support their own families."

"Whether it's the care we provide, the care we receive, or the care we coordinate for our parents and loved ones, this case, which would extend basic labor protections to home care workers, affects all of us," said **Robert Espinoza, vice president of policy at PHI** "The poor job quality and high turnover rates among home care workers are driving the labor shortage responsible for our current caregiving crisis, which both diminishes our quality of care and impoverishes home care workers. As the number of people wanting long-term services and supports in their homes continues to skyrocket, we need a multi-faceted, national response that transforms long-term services and supports and acknowledges that strengthening the direct-care workforce creates a more equitable and reliable system of care."

"There's increasing recognition and support for the valuable role family caregivers play in providing the majority of long-term care in the U.S. That's encouraging. But if we're truly going to show support for family caregivers and give Americans viable options for aging in place, we must also recognize the vital role home care workers in ensuring continuity of care. And we must also compensate them accordingly," said **Karen Marshall, family caregiver and founder of the Kadamba Tree Foundation**.

"Today, we share our support for this rule, which corrects a decades-old injustice that has fueled poverty wages and destabilized an increasingly vital industry. We stand proudly with our allies from the labor, women's, disability, older adult, and employer communities to voice our support for the long-awaited rules, and when these rules are finalized, we will work to ensure that these rules are implemented to benefit everyone who depends on the home care system," said **Caitlin Connolly, home care fair pay campaign coordinator with the National Employment Law Project**.



From her native Rhode Island, **Christina Batista, consumer and president of the National Participant Network**, said, “The workers who support me — and millions of others like me — deserve our support, beginning with the most fundamental labor protections as provided by the Fair Labor Standards Act. Personal-care workers have their own bills to pay, and families to take care of. They should be paid a living wage and the overtime rate for hours they work. It’s not only fair, it’s the right thing to do. By improving the quality of jobs for personal-care workers, we make it possible for more people with disabilities to live at home and give back to their communities.

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Please note: audio files of the oral arguments will be posted to the [court website](#) by 3:00 PM on May 7.