

Resolution #2

Fair Labor Standards for Homecare Workers

WHEREAS:

Homecare workers have been discriminated against and wrongly excluded from basic labor standards and wage protections such as overtime pay and a minimum wage for over 75 years; and

WHEREAS:

IHSS homecare workers are predominantly women of color and earn, on average, \$11 an hour and are currently denied paid time off for vacation or holidays, and the vast majority do not receive any retirement benefit; and

WHEREAS:

In 2013, the Obama Administration, recognizing that homecare workers deserve equal protection under the law, issued new regulations that extend Fair Labor Standards Act (FLSA) protections, such as overtime pay, to these workers; and

WHEREAS:

In 2014, the California Legislature approved and Governor Brown signed Senate Bill 855, which authorized the right of IHSS workers to payment for overtime, wait time, and travel time beginning January 1, 2015; and

WHEREAS:

The bill established that the providers' right to this FLSA protection is governed by federal law, not state wage and hour law; and

WHEREAS:

The current federal administration is engaged in the widespread repeal of all Obama-era labor regulations, placing FLSA protections for homecare workers at risk; and

THEREFORE BE IT RESOLVED:

That UDW/AFSCME Local 3930 urges the Legislature and Governor to continue FLSA protections for all homecare workers in California, including IHSS providers, if the 2013 federal regulations are eliminated.

SUBMITTED BY:

UDW/AFSCME Local 3930 Executive Board