

Good morning to the chairs and the committee members. I am Claude Holcomb and I reside at 2 Park Place, Apartment 4F in Hartford, Connecticut.

I oppose bill 6486 AN ACT CONCERNING HOME HEALTH CARE SERVICES AND THE ESTABLISHMENT OF A PERSONAL CARE ATTENDANT WORKFORCE COUNCIL.

The council that this bill envisions will allow personal care attendants to organize and become unionized. At first blush, bill 6486 looks like it is actually going to help the disability community and the elderly. The bill discusses several entities that are to become involved with the council, such as the program for individuals with acquired brain injuries, established pursuant to section 17b-260a of the general statutes, the personal care assistance program, established pursuant to section 17b-605a of the general statutes, the Connecticut home care program for the elderly, established pursuant to section 17b-342 of the general statutes, the pilot program to provide home care services for disabled persons, established pursuant to section 17b-617 of the general statutes, the individual and family support waiver program administered by the Department of Developmental Services, the comprehensive waiver program administered by the Department of Developmental Services, and any state-funded program that provides services associated with a personal care attendant. A "personal care attendant" means a person employed by an individual to provide personal care assistance to that individual (the individual who requires such assistance is referred to as the "consumer" in the bill); and "personal care assistance" means supportive home care, personal care or another nonprofessional service provided to a person with a disability or an elderly person who requires assistance to meet such person's daily living needs, ensure such person may adequately function in such person's home, or provide such person with safe access to the community.

Under the provisions of this proposed bill, in July, 2013 the council will recognize collective bargaining representatives of personal care attendants and their union organizations as being involved in most matters relating to the employment of personal care attendants. As the system stands today, individuals who require a personal care attendant do not have to recognize collective bargaining agreements when hiring. That will change if this bill is passed. This legislation is not going to help anyone, but the unions. I am not saying attendants don't need good pay and benefits, they do of course, but if this bill is passed there will no longer be a level playing field between the individual employer and the attendants. Unions will only need a 10% margin in favor of their organization in order to be recognized.

That's a win-win situation for the union .

I was here two years ago, saying the same thing. I believe unionizing home care workers will be a bad choice for the state, the disability community and the elderly.

I've been hiring assistants to support me at home since 1983, when I moved out of a nursing home. I've also been involved in the civil rights movement for people with disabilities for twenty-eight years. Home care services are based on one-to-one

relationships. Unionizing attendants would make it more difficult for a person with a disability to fire someone for abuse or neglect. Abuse and neglect perpetrated against a person with a disability in their own home would most likely happen without the presence of witnesses. It would be one person's word against another's, and the union would advocate for the attendant. Other states with unionized attendants are already experiencing this problem. Right now when I terminate an attendant, I need to have a good reason for my decision. But if the attendants become unionized, I would have to defend my decision to terminate unaided before the employee and their union steward, and my care might cease while the case was being resolved.

Also, if my care is stopped for a strike or to resolve a grievance, there is no one to come help me like there is for people supported by an administrative structure, such as a group home or a nursing home. Our independence works because we are on an equal footing with the people we hire to provide our support. Allowing attendants to unionize puts us back into a medical model of support.

I am fearful that the unionization of attendants will also result in the net shrinkage of available hourly supports. Unionization almost always results in individual workers receiving more hourly pay, which is a good thing. However, the people who require those services might find themselves having no increased allotment of funding to pay for these pay increases, because our Medicaid waiver funding programs have caps and Center for Medicaid Services (CMS) also has funding caps. An increase in attendant wages means the pie stays the same, and a person's hours of care may need to be reduced to cover the pay increases. Many people are living on the edge now, and fewer hours of support may mean that they end up in a nursing home.

I appreciate the opportunity to bring these issues before you. I believe people in the disability community in Connecticut and legislators who support this bill really need to rethink unionization for attendants in Connecticut.

Thanks you very much.