

Committee on Labor and Public Employees

Testimony regarding HB-5260- An Act Concerning Domestic Service and Overtime Pay

February 25, 2016

Dear Labor Committee Members:

My name is Christopher LaRiviere and I am the Executive Director of Franciscan Ever There Care. We are a faith based non-profit organization located in Meriden CT and provide non-medical in-home care to our clients.

Thank you for your time as I write in favor of (with alterations) to HB-5260, An Act Concerning Domestic Service and Overtime Pay.

1, Third Party Provider

We take umbrage to removing “third party provider” on line 77. This would allow families who hire live-in caregivers the ability to not only be exempt from paying their caregiver overtime for hours worked over and above 40 within a given week (by taking the live-in exemption) but also be able to take the “free time” deduction as well sleep, meals and lodging . This proposed change, allowing families to privately hire a caregiver to take this deduction would severely put those caregivers at a disadvantage.

2, Sleep Time

Although misunderstood, there is no current provision or requirement in the law to state that sleep time or a portion of that sleep time must be uninterrupted. There are a myriad of reasons why a caregiver might arise during the night or perhaps not at all. Placing this language in 5260 would severely limit agencies like mine to take the sleep time deduction. I won't belabor the point as I'm other testimony clearly outlines the reasoning one might rise on the overnight and the steps that our agencies take to remunerate our caregivers for getting up during the night. Allowing the word “consecutive” to be added to 5260 will only increase the cost to the client, and again, is not used in the Federal Law.

Thank you for your time and consideration,

Christopher LaRiviere
Executive Director
Franciscan Ever There Care
273 Finch Avenue
Meriden CT 06451