

Government Administration and Elections Committee

JOINT FAVORABLE REPORT

Bill No.: SB-1075

AN ACT CONCERNING PAYROLL SERVICE PROVIDERS FOR THE

Title: EMPLOYMENT OF PERSONAL CARE ATTENDANTS.

Vote Date: 3/30/2021

Vote Action: Joint Favorable

PH Date: 3/24/2021

File No.: 493

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SPONSORS OF BILL:

The Government Administration and Elections Committee

REASONS FOR BILL:

This bill would establish new parameters for responders to a request for proposals to demonstrate their ability to provide payroll services for personal care assistants (PCA). The responders would be assessed in terms of their communication with PCA's regarding payment discrepancies, confirmations or any changes in their status. In addition, the bill would mandate that responders demonstrate a timely method for disbursing payments to PCA's in the event of a pay discrepancy. The bill would also expand the use of an electronic scheduling, tracking and billing system to help with reviewing a PCA's timesheet.

RESPONSE FROM ADMINISTRATION/AGENCY:

None expressed.

NATURE AND SOURCES OF SUPPORT:

Carol Blackburn, Personal Care Assistant, SEIU District 1199: Ms. Blackburn described her experiences as a PCA for her mother over the past year. In her testimony, Ms. Blackburn expressed the need for a company that can effectively fulfil the needs of payroll. Ms. Blackburn contends that the current payroll company, Allied, is not meeting the needs of PCA's in terms of payroll. She described backlogs, issues with time sheets and trouble with getting two week emergency pay and sick leave during the pandemic. Ms. Blackburn asked the committee to hold Allied accountable.

Louise Consiglio, Consumer-Employer, SEIU District 1199 New England: Ms. Consiglio has been a consumer employer since 2017, and her daughter is her PCA. Ms. Consiglio described various problems that she has encountered with Allied Payroll Services over the years. Problems include issues with timesheets, minimal telephone support and excessive time recording practices.

Daniel Delmonaco, Personal Care Assistant, SEIU District 1199 New England: Ms. Delmonaco is a PCA for her mother, Louise Consiglio. Over the last four years in which Ms. Delmonaco and her mother have been using Allied, she has documented over fifty three instances where her pay has been late or incorrect. Ms. Delmonaco described the financial strain and the overall inconvenience this has caused for her and her mother. Ms. Delmonaco expressed feeling undervalued and treated like second-class caregivers by Allied.

Donald James, Consumer-Employer, SEIU District 1199 New England: Mr. James employs 3 individuals to help him with his daily activities that he cannot complete due to his disability. Despite always turning in timesheets well ahead of the deadline, Mr. James said that his employees have experienced 6 unpaid pay periods. Mr. James works hard to create a stress-free environment, but Allied delayed payments have resulted in an undue financial burden on his employees. Mr. James said that when employees are not paid, the work environment becomes hostile and creates a lot of personal anxiety.

Katherine Jones-Newton, Consumer-Employer, SEIU District 1199 New England: Ms. Jones-Newton has been with Allied for the last 8 years. She has described the problems with Allied as progressively getting worse. Ms. Jones-Newton described the effort and time she puts into finding PCA's, training them and building mutual trust. If PCA's cannot pay their bills and support their families, Ms. Jones-Newton contends that PCA's cannot be secure, comfortable and happy, which ultimately might prompt them to leave and find another job.

Anthony Ligon, Personal Care Attendant, SEIU District 1199 New England: Mr. Ligon emphasized the importance of in-home caregivers in terms of helping consumer-employers progress in life. He described various problems that he has experienced over the years with Allied. These problems have put him into financially precarious situations and made him feel undervalued by Allied.

Deirdre Murch, Vice President, SEIU District 1199 New England: Ms. Murch went over the basic tenets of the Home and Community Based Medicaid Waiver program, which is administered by the Department of Social Services and two fiscal intermediaries who are responsible for payroll. In regards to Allied Community Resources, one of the fiscal intermediaries, Ms. Murch says that SEIU District 1199 has received thousands of complaints from PCA's and consumer-employers regarding payment issues. Ms. Murch went on to describe the issues with Allied in great detail, stating that PCA's don't just work paycheck to paycheck, but instead work a paycheck or two behind. Payment issues with Allied have caused much financial hardship on many of the PCA's, who are 90% women and 65% Black and Brown. Ms. Murch implored the committee to pass the bill and help end the payroll issues experienced with Allied.

Gregory Myers, Personal Care Attendant, SEIU District 1199 New England: Mr. Meyers expressed the struggles that he has faced in dealing with Allied. At one point, Mr. Meyers contends that he went three weeks without pay, meaning that Allied owed him 255 hours'

worth of pay. Mr. Meyers described the financial, mental and physical struggles that this situation has put him through. For instance, Mr. Meyer had to go two days without eating because he had no money, despite the fact that Allied owed him hundreds of dollars for work.

Sharon Thorstenson, Consumer-Employer, SEIU District 1199 New England: Ms. Thorstenson added to the dialogue regarding Allied's shortcomings. Due to the frustrations that PCA's go through with Allied, Ms. Thorstenson said that three of her PCA's quit, which meant that she had to go without care and look for new PCA's. Ms. Thorstenson described the stress that this situation has created for her. The problems with Allied have robbed Ms. Thorstenson of the opportunity to focus on her health.

Lynne Zimmer, Consumer-Employer, SEIU District 1199 New England: Ms. Zimmer explained the struggle in terms of getting PCA's applications processed by Allied. Delaying applications denies the consumer-employer from getting the care that they need. She emphasized the need for PCA's to receive their paychecks in a timely manner. Ms. Zimmer recommended that the Connecticut Department of Social Services fire Allied and hire a payroll company that is receptive to the needs of both consumer-employers and PCA's.

NATURE AND SOURCES OF OPPOSITION:

Mary Caruso: Ms. Caruso is the mother of two children that live with physical disabilities. She believes that the voice of the consumer employer is being left out of the dialogue between PCA's and payroll service providers. Ms. Caruso feels that ignoring the voice of the consumer provider denies consumer providers the sense of self-direction that many cherish.

Kathleen Flaherty, Executive Director, CT Legal Rights Project: Ms. Flaherty has been a member of the Personal Care Attendant (PCA) Workforce Council since 2017. Ms. Flaherty contends that these bills are unnecessary and may create unfavorable unintended consequences. In her testimony, she emphasized the self-direction of the consumer-employers in this program, finding that the current bill undermines that concept. In regards to the timesheet issues and lack of timely pay, Ms. Flaherty described an existing process for resolving these types of disputes. Ultimately, Flaherty expressed concern that no payroll company would be willing to serve as the fiscal intermediary for the program because of the unrealistic nature of this bill's requirements. She suggested that the committee establish a working group to find a better solution to this issue.

Reported by: Trevor Hoffman

Date: 3-30-21