

Labor and Public Employees Committee
Taskforce on Domestic Workers

MEETING MINUTES

Friday, October 17th, 2014

2:00 PM in Room 2B of the LOB

The meeting was called to order at 2:03 PM by Chairman Gary Holder-Winfield,

The following committee members were present:

Senator Gary Holder-Winfield, Rep. Peter Tercyak, James Bhandary-Alexander, Robert Clark, David Denvir, Mark, LeClair, Anika Lemar, Petra Morales, Cmmr. Sharon Palmer, Natasha Pierre, Maria Lima Rodriguez, Rep. Hilda Santiago, Natalicia Tracy
No members of the Task Force were absent

Chairman Senator Gary Holder-Winfield began the meeting by reviewing the agenda. He stated that today's goals were to begin the discussion of defining *domestic worker* and stressed that this definition would evolve as presentations, hearings, and discussions held by the Task Force occurred.

Holder-Winfield explained that establishing a sound definition would require the use of a subcommittee system. He said that if any task force members had any suggestions as to categories of subcommittees, he would be obliged to hear them. He suggested that there be at least one subcommittee that focused on employer relations.

Holder-Winfield also stated that the Task Force would host public hearings as feedback from the public would be helpful in crafting the definition of *domestic worker* and also Connecticut's bill of rights for domestic workers.

Holder-Winfield then opened up to the meeting to general comment from members of the Task Force, unless members felt there was no further business to consider.

Attorney James Bhandary-Alexander stated that he had made an attempt at answering some of the guiding questions which were provided to the Task Force at their September meeting. He explained that he also provided his answers in a memo format for all of the members to review. Danielle Palladino, the Clerk for the Task Force, distributed Bhandary-Alexander's memo to the members. Palladino also announced that this packet would be distributed via email and also made available online.

Bhandary-Alexander additionally remarked that he felt a critical subcommittee would be one focusing on the topic of personal care attendant issues. He offered this as a suggestion for the group to consider.

Natalicia Tracy suggested that a subcommittee of domestic workers and their advocates be formed. She also asked the group to consider working on defining domestic worker at the present moment. Members of the task force agreed that they would like to participate in preliminary discussions now.

Bhandary-Alexander offered to review his memo in full detail as he felt that it would be a great starting point for the discussion on defining a *domestic worker*.

Tracy asked Bhandary-Alexander if the laws he referenced in his memo were applicable to domestic workers as well as regular employees.

Bhandary-Alexander answered that most laws do exclude domestic workers, but some do not.

Tracy then shared her idea of a *domestic worker*. Her definition determined that a domestic worker was an employee who worked within the confines of a household providing care or completing various housekeeping related tasks for children, elderly persons, or those with special needs. Furthermore, she said she believed that a domestic worker could live in that same household or outside of it.

David Denvir stated that he felt that this definition was too broad and needed to be refined.

Denvir proceeded to identify himself as working the Companions and Homemakers; a Connecticut agency which employs domestic workers. He clearly stated that his agency is in support of legislation which would increase the reimbursement for employees. He wanted members of the task force to understand that his agency is not interested in limiting the rights of workers. Denvir concluded his remarks by stating that he wishes the task force will not work under the assumptions that all domestic workers are disadvantaged.

Tracy replied by stating that she appreciates a broader definition of *domestic worker*, citing a more narrow definition could lead to constant amendments in the future. Tracy stated that by keeping the definition broad, more classifications of domestic workers could be covered and the bill would lead to more comprehensive protections.

In response to Denvir's statement that the Task Force should not operate under the assumption that all domestic workers are in disadvantaged employment situations, Tracy stated that the notion of unfair working conditions is rooted in research- not assumptions.

Anika Singh Lemar expressed the need for a two pronged approach to handling the general work of the Task Force. She stated she envisions the group forming a Bill of Rights and also closing loop holes that currently exist in other forms of employment law and regulations. She also remarked that it would be helpful to have bill copies from the states who have previously passed legislation on this topic.

Holder-Winfield said that he agreed and that research could be done to find what legislation other states have passed.

Denvir questioned if the Task Force would host a public hearing on the topic or parameters outlined in proposed legislation from other states across the country in November.

Holder-Winfield replied by stating that the Labor and Public Employees Committee of the Connecticut General Assembly had proposed a bill of rights this past legislative session. He went on to explain that the original language was later amended, leaving the bill with only the authority to create a task force to study the issue of domestic workers. Holder-Winfield also stated that he wants to have a hearing in November, using the original language from the bill of rights.

Representative Peter Tercyak stated that he would be interested to hear employer feedback. He stated that he was glad that Companions and Homemakers was a participating agency on this Task Force. Tercyak also offered questions for the group to ponder, "What are concerns that employers have about domestic workers? What do you think that you can do better?"

Lemar responded to these questions by suggesting that the Task Force consider developing an education component to be made accessible to employers of domestic workers. She stated that with so many different layers of employment law, it can be difficult for employers to know what they are doing right and what they are doing wrong.

Maria Lima Rodriguez stated that often domestic workers take less than minimum wages for their work, because they too are not informed or do not feel comfortable calling attention to it. Commissioner Sharon Palmer, Lemar, and Rodriguez all agreed that this is an issue which needs to be addressed. Palmer stated that this should be a component considered for any educational program the task force would put together.

Denvir asked the Task Force to consider worker misclassification as an issue that needed to be studied in the process of defining *domestic worker*. He cited that employers are able to skirt wages, conditions, and benefits when workers are not properly classified. He reiterated that if workers are properly classified under this bill of rights, then existing wage and benefit issues could correct themselves in some instances.

Representative Hilda Santiago expressed her concern with doing background checks on workers to determine if they have been trained and equipped with knowledge to

understand working condition standards. Santiago cited that with much of this population of worker primarily speak languages other than English, it is critical their rights and proper work protocols are explained to them.

Tracy responded to Santiago's concerns by using the Massachusetts's Attorney General's Office as an example. Tracy explained that their office ensured that there was an educational component and that all workers were trained. Tracy stressed the importance of having something similar included in Connecticut's bill.

With no other questions, concerns, or comments, Holder-Winfield stated that the meeting would come to a close. He also said that Task Force members could expect to receive information on Connecticut's proposed bill of rights for domestic workers, as well as information on bills passed in both Massachusetts and New York.

The meeting was adjourned at 2:57 PM.

Danielle Palladino
Committee Clerk