

Labor and Public Employees Committee
Taskforce on Domestic Workers

MEETING MINUTES

Friday, April 24th, 2015

2:00 PM in Room 1D of the LOB

The meeting was called to order at 2:10 PM by Chairman Peter Tercyak,

The following committee members were present:

Representative Peter Tercyak, Senator Ed Gomes, James Bhandary-Alexander, Robert Clark, David Denvir, Mark LeClair, Carolyn Treiss, Maria Lima Rodriguez, Natalicia Tracy

Those absent included: *Petra Morales, and Rep. Hilda Santiago were absent.*

Chairman Representative Peter Tercyak suspended the call of the agenda and opened the meeting by inviting any members of the public to offer testimony on Senate Bill 446, An Act Concerning Domestic Service And The Commission On Human Rights And Opportunities.

The first member of the public to speak identified himself as Tom Falik, President of the Connecticut Association of Homecare Registries. He explained that he was not prepared to make a formal presentation, but he has followed the issue quite closely. He stated that he is supportive of the concept of a bill of rights for domestic workers, but he expressed some opposition to legislation championed by the Brazilian Immigrant Center. He explained the proposal is problematic as it does not cover domestic workers which are paid for by state programs or those workers provided by employee based home care agencies. He was concerned that a big portion of homecare workers were not covered in this proposal. He felt that there is no parity in having some restrictions imposed on the individual employer, while different regulations could be imposed on the state or registry as a provider. He welcomed the opportunity to work with the task force in the future to iron out these concerns.

Tercyak thanked Falik for his input. He cited that the root of this legislation stemmed from concerns for the employers. He cited an example heard by the Human Services Committee several years ago. He explained that a woman who had hired a domestic worker nearly lost her home as she did not carry workers compensation insurance for her employee. She did not realize that she was liable for incidents occurring on the job. Tercyak reiterated his desire for having more information made available for the employers.

Falik said that he had worked diligently in the past to develop and promote an accident insurance program. He explained this program is now implemented by registries.

Tercyak and Falik then discussed the differences of workers compensation and accident insurance. Workers comp does not have a cap, where accident insurance does have one.

Chairman Gomes explained that he is a late comer to these discussions, but that he would like to learn more about registries and what they provide for their employees. Falik answered Gomes' questions about relationships between the client, domestic worker, and registry.

Gomes sited that now was the time to handle this and he was glad that the Task Force was getting to the bottom of unfair wages. He explained that several months prior, he had met with a domestic worker who shared that she was being paid \$2.00 an hour. Both Gomes and Falik agreed that current wages for domestic workers were incredibly unfair and that more should be done to get these employees on a level playing field with the rest of the nation's workforce.

Chairman Tercyak opened up the floor to Julianne Roth, chair of the Board for the Connecticut Homemaker and Companion Association and business owner of Companions for Living in Hartford. She explained that there is a pending lawsuit in Washington regarding over time and fair labor conditions so it would be premature for this group to make legislative recommendations until the law suit is settled. She further stated that there are issues with funding domestic worker services through Medicaid.

Roth asked if a fiscal analysis or fiscal note had been generated for this legislation and Tercyak said that at this time an analysis had not been done. He said that the standard procedure is for the legislation to leave a committee before receiving this note.

Attorney Bhandary-Alexander asked if any of Roth's employees who provide domestic work are paid less than \$9.50. Roth replied no. He then asked if any of her employees are paid less than \$10.10. She replied yes.

John Shulansky, Vice President of the Connecticut Association of Homecare Registries then addressed the task force. He stated his firm belief that a domestic workers bill of rights is necessary. He said that he believed the state of Connecticut was behind the times in not already having one on the books. He further state that every agency and individual employee should be treated the same, meaning there should be protections for employees and employers in both employment settings. He also recognized that Connecticut has an older demographic compared to other states, so there is a need to regulate homecare work. Citing a current lack of required certifications or standards for non-medical home care workers, Shulansky said it was necessary to tighten home health care standards for consumers and employees.

Alan Brown, who owns Bright Star Care of Western Connecticut which is an employer based agency, then addressed the Task Force. He explained that there is a need to clarify definitions of “employee”, “employer”, and “independent contractor.”

The group continued to discuss how parity would be achieved between workers hired independently and those hired through registries. There was also a discussion of what new regulations registries would face as a result of the new legislation. Brown sited that wage and overtime provisions were entirely new, but that the provisions dealing with protections against discrimination were not new. David Denvir sited that sections one and two of Senate Bill 446 have provisions which are entirely new to his line of work.

The conversation continued with the task force reviewing Senate Bill 446.

The meeting was adjourned at 3:39 PM.

Danielle Palladino
Staff for the Task Force