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## Home-care workers

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Home-care workers are excluded from the federal law requiring most employees to receive a minimum wage—currently \$7.25 an hour—and 150% of that pay when they work overtime. After 40 years, the US Department of Labor (DOL) issued **rules** eliminating that exemption. The new rule was supposed to take effect last January but it was blocked by a lawsuit filed by associations representing companies that hire these workers. (Sixteen states, however, do have their own minimum wage rules that also apply home-care workers.)

Home-care workers provide help to older people or those with disabilities with dressing, eating, and other daily activities. This assistance is often the only reason many can stay out of more expensive nursing homes, said Deane Beebe, spokeswoman for the **Paraprofessional Healthcare Institute**, an advocacy group for home-care workers. Home care is also one of the fastest-growing industries in the country, yet she said for every two workers who are hired each year, one leaves.

“How are we going to build the workforce we need if this occupation doesn’t provide a decent wage?” Beebe said. “Who’s going to take these jobs? They are difficult emotionally, physically and they are socially isolating.”

After a federal judge in December sided with employer groups, the labor department appealed and last week won a **decision** upholding the new pay rules. On Tuesday, the employers announced they would appeal again, this time to the US Supreme Court. They argue that individual families and home-care agencies won’t be able to afford the higher pay. The rule also applies to state Medicaid



**Watch** Illinois Congresswoman Jan Schakowsky shadowing home care worker Gilda Pipersburgh last summer, pictured on the right with her client

The video is part of the “Come Care with Me” series produced by the Paraprofessional Healthcare Institute, an advocacy group for home care workers.

programs, which provide health insurance for low-income families, and several states had filed legal papers in supporting the employers’ challenge.

“Left standing, the decision will hurt consumers, particularly patients with disabilities and home-care workers, as well as the home-care agencies that both employ and serve them,” said Denise Schrader, chairman of the National Association for **Home Care & Hospice**, which represents about 33 000 US home-care and hospice organizations. Consumers will have less access to care and workers will receive less pay—not more—as employers cut back services, she said.

Even as the legal fight continues, labor officials are “strongly encouraging employers to prepare for thoughtful implementation [of the rule] now,” a DOL spokesman said.