Legislation Details (With Text)

File #:	Res 1784-2021	**Version:**	A	**Name:**	Placing limits on the maximum amount of hours a home care aide may be required to work.. (A.3145-A/S.359)
Type:	Resolution			**Status:**	Filed (End of Session)
				In control:	Committee on Aging
On agenda:	11/10/2021				
Enactment date:				**Enactment #:**	
Title:	Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.3145-A/S.359, placing limits on the maximum amount of hours a home care aide may be required to work.				
Sponsors:	Margaret S. Chin, Farah N. Louis				
Indexes:					
Attachments:	1. Res. No. 1784, 2. November 10, 2021 - Stated Meeting Agenda with Links to Files, 3. Hearing Transcript - Stated Meeting 11-10-21, 4. Proposed Res. No. 1784-A - 11/12/21, 5. Committee Report 11/19/21, 6. Hearing Testimony 11/19/21, 7. Hearing Transcript 11/19/21, 8. Minutes of the Stated Meeting - November 10, 2021				

Date	Ver.	Action By	Action	Result
11/10/2021	*	City Council	Introduced by Council	
11/10/2021	*	City Council	Referred to Comm by Council	
11/19/2021	*	Committee on Aging	Laid Over by Committee	
11/19/2021	*	Committee on Aging	Hearing Held by Committee	
12/31/2021	A	City Council	Filed (End of Session)	

Proposed Res. No. 1784-A

Resolution calling on the New York State Legislature to pass, and the Governor to sign, A.3145-A/S.359, placing limits on the maximum amount of hours a home care aide may be required to work.

By Council Members Chin and Louis

Whereas, Care workers such as home health aides, personal care aides, and nursing assistants are a vital part of our society and have been recognized as essential front-line workers by former New York Governor Andrew M. Cuomo during the COVID-19 pandemic; and

Whereas, As the United States population grows older, the U.S. Census Bureau projects that by 2030 people ages 65 and older will outnumber youth under the age of 18, increasing the important role that care workers play in our society; and

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Whereas, The World Health Organization's World Report on Aging and Health acknowledged care workers as "the most valuable resource for health," as they are often undervalued workers who have the vital responsibility of helping those who can't help themselves, such as young children, the elderly, the sick, or persons with disabilities; and

Whereas, There is a substantial shortage of care workers in the state of New York, as 17 percent of home care positions are currently left unfilled, according to the City University of New York and the Association on Aging in New York; and

Whereas, According to the Center for American Progress Action Fund, essential care workers have often been treated as disposable, experiencing low pay, long hours, inadequate breaks, and insufficient personal protective equipment; and

Whereas, According to the Paraprofessional Healthcare Institute's U.S. Home Care Workers Report, low wages and inconsistent schedules have caused a quarter of home care workers-many of whom are women and people of immigrant backgrounds-to live below the federal poverty line; and

Whereas, These working conditions may deter potential care workers from entering the field, thereby contributing to the shortage of workers in this state; and

Whereas, New York labor law, as interpreted by the New York Department of Labor, entitles care workers to eight hours of sleep and three hours for meals during a 24-hour shift under the "13-hour rule," and yet many workers have reported that they do not always receive these rights according to the Labor Press Union; and

Whereas, In January, 2021, New York State Assembly Member Harvey Epstein introduced A.3145-A and New York State Senator Roxanne Persaud introduced S.359, to limit the hours home care aides are required to work; and

Whereas, S.359 would place limits on the maximum amount of hours a home care aide may be required

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to work without voluntarily consenting to such an assignment.; and

Whereas, A.3145-A would mandate that home care workers take non-sequential split shifts of 12 hours each to care for those requiring 24 hours of care; and

Whereas, Both A.3145-A and S.359 would help ensure that care workers are paid for hours worked and are not mandated to work unduly long shifts, ensuring that care recipients receive the best and safest care possible; and

Whereas, Improving these working conditions could help reduce the shortage of care workers in New York by removing disincentives that may deter job seekers from entering into the fields of home and personal care; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to pass, and the Governor to sign, A.3145-A/S.359, placing limits on the maximum amount of hours a home care aide may be required to work.

LS #17840
11/12/2021
AH/CP