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[www.consumerdirectedservices.com](http://www.consumerdirectedservices.com)

January 09, 2014

On September 16<sup>th</sup> the New York State Department of State accepted the Certificate of Incorporation submitted by **Consumer Directed Services, Inc.** under section 404 of the Not-for-Profit Law. A certificate that included the following statement:

*To insure that the corporation remains focused on the empowerment of the people being served, as the service population grows, the corporation will expand the Board of Director Membership to insure that a majority of its seats are held by people with disabilities.*

To assist Consumers with the problem of finding new Personal Care Assistants, [Consumer Directed Services](http://www.consumerdirectedservices.com) created a FREE Employment Information Bridge between Consumers and PCA Candidates.

- [Consumers / Advocates](#)

- To receive a copy of the weekly Newsletter, a Consumer or Advocate need only send me an email to [elitcher@consumerdirectedservices.com](mailto:elitcher@consumerdirectedservices.com) and include your name and the text **Newsletter Request**.
- To search for a New Personal Assistant go to the [Consumer Directed Services](#) website and complete the form at the following link [Consumer / Advocate - Search for a PCA Candidate](#). When your information is received it will be distributed to all of the PCA Candidates enrolled in the database and a variety of other Employment Resources.

- [Personal Care Assistant \(PCA\) Candidates](#)

To include your information in the Newsletter and Database, go to the [Consumer Directed Services](#) website and complete the form at the following link: [Look for a PCA Job \(FREE\) - New York City Metro](#).

Previously distributed Newsletters (**from January 12, 2011 to present**) have been archived on the [Consumer Directed Services](#) home page. Finally, if you have any questions, comments, or recommendations about this service, or should you wish to remove your address from this list, please contact send an email to [elitcher@consumerdirectedservices.com](mailto:elitcher@consumerdirectedservices.com).

Best Regards, Ed Litcher

## **Consumers Searching**

**Consumers Wanted:** For an Employment Information Bridge to work it requires traffic to flow in both directions. If you are in a Consumer Directed Personal Assistance Program, you will eventually need to find a new Home Care Worker. And up to now you may have relied upon Friends, Family, an Agency or you may have chosen to put your own advertisement on the Internet (See the list of Internet resources on the PCA Employment Agency page of this newsletter). Therefore, to help you find the PCA Candidate of your choice, I urge you, to do everything you ordinarily do, to consider an Internet resource and to try [www.ConsumerDirectedServices.com](http://www.ConsumerDirectedServices.com). Finally, if you try Consumer Directed Services, please spread the word. Tell your friends and associates about this **FREE** service.

**Anthony () on Tuesday, January 6, 2015 at 11:37:01**

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City, Town or Borough: Centereach, Long Island, NY

Phone: 631-210-5293

Best Time: all day

E-mail: noneck61@gmail.com

Email Authorization: Yes

Consumer Age: Between 51 and 70

Consumer Gender: Male

Payroll Method: Agency

Type of Candidates: Personal Care / Home Health

Candidate Experience: Quadriplegia,, Wheelchairs,, Languages

Description of Languages: English

Required Documentation: Social Security Number,

Hours: 14

Days: 7

Description of Schedule: Looking to fill evenings (5pm-11pm) all 7 days and weekend days (9am-5pm)

Pay Per Hour: 13.12

Comments: \*Please read carefully.

Residents outside Suffolk County need not apply, must live within 25 mile radius of Centereach, NY.

I am a 53-year-old male with cerebral palsy, and I am self-directing. I am on the CDPAP program, and I am registered with a home care agency.

Requirements: Must be able to move 200 lbs, valid driver's license and own mode of transportation. Do not apply if you do not have a car.

Must be able to pass a nationwide background check, English speaking. Current physical, including proof of immunization against measles, mumps and rubella, is required by the Department of Health prior to hire.

Job duties include: Shopping, banking, and other essential errands, assistance with all activities of daily living (toileting, showering, meal preparation, housekeeping).

I am wheelchair bound and use a wheelchair to attain mobility. I cannot stand or walk on my own. I transfer using a stand-and-pivot method. There are no Hoyer lifts or other assistive devices of any kind. Do not apply if you have any injuries that would prohibit you from transferring 200 pounds, such as back problems. If I find that a pre-existing injury exists that was not disclosed at the time of hire, you will be immediately terminated.

Pay rate is 13.12/hour on the books. Benefits are available at additional cost upon request after 3 months of employment.

Shifts available are evenings (5pm-11pm) for all 7 days, and day shifts (9am-5pm) for Saturdays and Sundays. I am looking to hire more than one person, shifts are available on a first-come, first serve basis.

Nationwide background check is required by my insurance company. I will need SSN & birth date prior to hire so that I may run said background check via [www.sentrylink.com](http://www.sentrylink.com). This information can be provided at the initial in-person interview.

Contact for more details. Thank you.

**Fern Cohen () on Wednesday, December 24, 2014 at 16:31:59**

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Neighborhood Name: Rego Park  
City, Town or Borough: Queens  
Available Transportation: Subway,, Bus,, Auto,  
**Phone: 347-579-7252**  
Best Time: afternoon  
E-mail: [fec139@gmail.com](mailto:fec139@gmail.com)  
Email Authorization: Yes  
Consumer Age: Between 51 and 70  
Consumer Gender: Female  
Payroll Method: Agency  
Type of Candidates: Personal Care / Home Health  
Candidate Experience: Paraplegia,, Ventilators,, Wheelchairs,, Lifters,  
Preferred Candidate Gender: Female  
Required Documentation: Social Security Number,  
Hours: 12  
Days: 1  
Start Time: 7am  
Description of Schedule: Permanent Saturday 7am-7pm  
Pay Per Hour: CDC rate

## **PCA Candidates**

*Consumer Directed Services is not an Agency and makes no representation (positive or negative) regarding the appropriateness of any PCA Candidate, or the terms and conditions of any employment relationship. All employment and payment decisions are the exclusive responsibility of the Consumer.*

### **Dear Personal Care Assistant Candidate,**

*I would like to thank you for your participation in Consumer Directed Services. If you submitted your **more than one year ago**, please complete and submit a new*

[Personal Assistant Enrollment Form](#). When the updated information is received, your new profile will be added to the next newsletter. Again thank you for your participation.

**Suzette Campbell () on Wednesday, January 7, 2015 at 13:32:37**

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Address: Bronx NY

Phone: 347-373-0586

Best Time: anytime

E-mail: [alee3931@gmail.com](mailto:alee3931@gmail.com)

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Teens,, Young Adults,, Seniors,, Paraplegia,, Amputation,, Wheelchairs,, Lifters,, Mental Impairments / Alzheimer's Disease,

Documentation Available: Social Security Number,, Proof of Identity,, Recommendations

Certificate/License: Home Health Aid,

Hours per Week: 70+

Days per Week: 7

Preferred Start Time: open

Days I Would Like to Work: open

I am willing to work a 24 Hour Sleep-In schedule: yes

Target Salary Per Day: 140+

Comments: Dependable, caring, honest, experience, with a warm and compassionate personality.

**FLORANTE CORONEL () on Tuesday, December 30, 2014 at 23:00:54**

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Address: 6109 Broadway Ave., Woodside, NY 11377

Phone: 917.399.9208

Best Time: Evening

E-mail: [flocornell@gmail.com](mailto:flocornell@gmail.com)

Gender: Male

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Years Employed with a Consumer/Surrogate: N/A

Enrolled with a CDPAP: No

CDPAP Agency Name(s): N/A

Experience: Seniors,, Paraplegia,, Quadriplegia,, Hemiplegia,, Ventilators,, Wheelchairs,, Lifters,, Other Equipment,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,, Special Diets,, Languages

Description of Special Diets: Dysphasia, Diabetic, Sodium-free, Hi-protein,

Description of Languages: English, Filipino, Spanish

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Personal Care,, Driver's License,, Other,

Description of Other Certificate/License: CNA,

Hours per Week: 80

Days per Week: 5

Preferred Start Time: 8am

Days I Would Like to Work: Mon. thru Fri.

I am willing to work a 24 Hour Sleep-In schedule: Case-to-case basis

Target Salary per Hour: 20.00

Target Salary per Day: 300.00

Comments: I have been a CNA since 2004. My total years of experience in health care facilities are 4 years, and 8 years in In-home care setting. I specialized more on cases of persons with cognitive impairment and neurodegenerative diseases, such as Alzheimer's and other forms of Dementia, Parkinson's, MS, ALS, CP, etc. I have completed Mental Health Specialty Training and Developmental Disabilities Specialty Training. I did classes and handled cases on Hospice and Palliative Care. I did training on Music and Massage Therapy. Currently, I am completing the Physical Therapy Aide program.

**Maimuna Sillah () on Wednesday, December 31, 2014 at 04:02:12**

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Address: 1785 Townsend Ave Bronx NY 10453

**Phone: 917 208 2659**

E-mail: [Sillahmaimuna@yahoo.com](mailto:Sillahmaimuna@yahoo.com)

Email Authorization: Yes

Gender: Female

**Type of Position: Personal Care / Home Health**

Worked with a CDPAP Consumer/Surrogate: Yes

Experience: Seniors,

Certificate/License: Home Health Aid,

I am willing to work a 24 Hour Sleep-In schedule: No

**Angella Peele () on Saturday, December 27, 2014 at 10:49:11**

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Address: 1214 Avenue K, Brooklyn NY, 12330

Phone: 347 932 6061

E-mail: Immunity66@hotmail.com

Email Authorization: Yes

Gender: Female

Description of Other Type of Position: LPN

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Children,, Teens,, Seniors,, Paraplegia,, Ventilators,, Wheelchairs,, Mental Impairments / Alzheimer's Disease,

Description of Special Diets: Grunge/j-tube

Certificate/License: LPN or PN,

Hours per Week: 36

Days per Week: 3

Days I Would Like to Work: Saturday, Sunday, Tuesday, Thursday

I am willing to work a 24 Hour Sleep-In schedule: Yes every other weekend

Target Salary Per Day: 130.00

Comments: LPN with experience working with kid with G-Tube/J-Tube, oxygen dependency , CMV, Seizure disorder,

**Alisha Willis () on Wednesday, December 24, 2014 at 12:50:38**

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Address: 241 East 173rd Street

Phone: 718 300 5664

Best Time: Anytime

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Years Employed with a Consumer/Surrogate: N/A

Enrolled with a CDPAP: No

CDPAP Agency Name(s): N/A

Experience: Children,, Teens,, Young Adults,

Documentation Available: Social Security Number,, Proof of Identity,, Recommendations

Certificate/License: Personal Care,

Hours per Week: 30

Days per Week: 5

Preferred Start Time: 1/5/2015

Days I Would Like to Work: Tuesday, Thursday, Friday, Saturday, Sunday

I am willing to work a 24 Hour Sleep-In schedule: Yes

Target Salary Per Hour: 11

Target Salary Per Week: Weekly

Comments: Knowledge of Microsoft Word, Excel and PowerPoint. Dedicated, loyal employee with diverse career background in administrative support. Proven ability to complete assigned projects on time while unsupervised or as an effective team member. Demonstrated ability to utilize available resources and follow through to completion. Possess strong work ethic with 100% dedication to assigned task. Work well with wide range of people. Capable of learning new skills rapidly.

**Ruth Soriano () on Monday, December 22, 2014 at 23:45:02**

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Address: 66-31 Clinton Avenue, Maspeth, Queens, New York 11378

Phone: 347 447 0740

E-mail: ruthsoriano0418@yahoo.com

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: Yes

Consumer/Surrogate References Available: Yes

Years Employed with a Consumer/Surrogate: 1 year

Enrolled with a CDPAP: No

Experience: Seniors,

Description of Special Diets: low salt diet

Description of Languages: English, Tagalog

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Personal Care,, Home Health Aid,

Hours per Week: 40

Days per Week: 3

Days I Would Like to Work: Wed. - Thurs. - Friday

I am willing to work a 24 Hour Sleep-In schedule: Yes

Target Salary Per Hour: 11/hour

Target Salary Per Day: \$150

Comments: I worked as Home Attendant for a year, then I just had my training as Home



Health Aid last September 26,2014. I am also a Registered/Licensed Pharmacist in my native country, Philippines.

**Sacha M Mercado () on Monday, December 22, 2014 at 09:32:00**

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Address: 1826 Tomlinson Avenue

Phone: 917-478-8581

Best Time: Any

E-mail: sachamarinamercado@yahoo.com

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Seniors,, Wheelchairs,, Other Equipment,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,

Description of Other: Hospice

Documentation Available: Social Security Number,, Proof of Identity,,  
Recommendations

Certificate/License: Personal Care,, Home Health Aid,, Driver's License,

Hours per Week: 40+

Preferred Start Time: Any

Days I Would Like to Work: Tuesday through Sundays

I am willing to work a 24 Hour Sleep-In schedule: Yes

Target Salary Per Hour: 12.00

Comments: I am experienced in Elderly, Alzheimer/Dementia and Hospice care. I am also knowledgeable in ambulation, bathing, cooking, cleaning, dressing, bed making, Companionship, shopping, diabetes, assist with meal prep and eating, Transfers, Incontinent care.

**Dorothy Adobea () on Monday, December 22, 2014 at 10:02:53**

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Address: Bronx, New York

Phone: 347 963 3414

Best Time: Anytime

E-mail: addodott@yahoo.com

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Teens,, Young Adults,, Seniors,, Paraplegia,, Quadriplegia,, Hemiplegia,, Amputation,, Ventilators,, Wheelchairs,, Lifters,, Other Equipment,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,, Special Diets,

Description of Special Diets: low fat, low sodium, vegetarian, pureed diet.

Description of Languages: English

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Home Health Aid,, Driver's License,, Other,

Description of Other Certificate/License: CPR

Hours per Week: 40+

Days per Week: 7

Preferred Start Time: ASAP

Days I Would Like to Work: Monday - Sunday

I am willing to work a 24 Hour Sleep-In schedule: yes

Target Salary Per Hour: open

Target Salary Per Day: open

Target Salary Per Week: open

Comments: specialized in caring for the depressed and people with Dementia or Alzheimer's, Diabetes, Parkinson's disease, ALS, Stroke, hypertension, cancer, and also transferring either manually or using transfer equipments.

I am a compassionate, respectful, honest, hardworking and an intelligent young lady with a significant educational background.

Microsoft Office applications, Internet, power-point, excel.

**James Marin () on Thursday, December 18, 2014 at 14:21:47**

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Address: West Harlem, New York

Phone: (978) - 551 - 0473

Best Time: Anytime

E-mail: [jpmarin7@gmail.com](mailto:jpmarin7@gmail.com)

Email Authorization: Yes

Gender: Male

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Children,, Young Adults,, Quadriplegia,, Wheelchairs,, Other Equipment,  
Documentation Available: Social Security Number,, Proof of Identity,,  
Recommendations

Hours per Week: Open

Days per Week: 5

Preferred Start Time: Anytime

Days I Would Like to Work: Open to all days currently (no preference)

Target Salary Per Hour: Open

Comments: I have worked as a personal care assistant in the past assisting a young man with cerebral palsy as well as a child with muscular dystrophy. As a P.C.A., I helped these individuals attend to their everyday living needs and assisted them frequently with specific activities such as using the computer/telephone and participating in athletic activities. My experiences working as a P.C.A. have been personally rewarding for me. It is inspiring for me to see individuals turn their challenges into triumphs and to know that I have been a facilitator in that process by helping them to get through their day.

**Juliet Walters () on Thursday, December 18, 2014 at 12:24:15**

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Address: 6 Essex place Valley Stream NY 11580

Phone: 7185062060

Best Time: anytime

E-mail: [wallyjul@yahoo.com](mailto:wallyjul@yahoo.com)

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: Yes

Consumer/Surrogate References Available: Yes

Years Employed with a Consumer/Surrogate: 7 years

Enrolled with a CDPAP: Yes

CDPAP Agency Name(s): Southshore Home Health Services inc

Experience: Young Adults,, Seniors,, Wheelchairs,, Lifters,

Description of Languages: English

Documentation Available: Social Security Number,, Proof of Identity,,  
Recommendations

Certificate/License: Personal Care,, Driver's License,

Hours per Week: 30

Days per Week: 3

Preferred Start Time: 01/2015

Days I Would Like to Work: Mon, Tues, Wed

I am willing to work a 24 Hour Sleep-In schedule: on a part time basis

Target Salary Per Hour: \$13- \$20

Comments: I have been working in this position for over 10 years I presently have a multiple sclerosis patient who is non ambulatory and I have been with her for 7 years. I am compassionate, trustworthy and carry out my duties on a professional level. I like caring for people and it gave me a sense of fulfillment knowing I can be in someone's home assisting them and helping them to have the quality of life they require,

**Murielle Pierre () on Wednesday, December 17, 2014 at 13:33:44**

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Address: 379 Eastern Parkway Brooklyn NY 11216

Phone: 9174744077

Best Time: 12 am

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Experience: Children,, Teens,, Young Adults,, Seniors,, Wheelchairs,, Lifters,, Other Equipment,, Visual / Auditory Impairments,, Special Diets,, Languages

Documentation Available: Social Security Number,, Proof of Identity,

Certificate/License: Personal Care,, Home Health Aid,

Description of Other Certificate/License: CNA

Hours per Week: 20

Days per Week: 3

Preferred Start Time: 9 am

Days I Would Like to Work: Monday, Tuesday , Wednesday

I am willing to work a 24 Hour Sleep-In schedule: no

Target Salary Per Hour: 15.00

**Elizabeth Lele () on Wednesday, December 17, 2014 at 08:38:29**

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Address: 2750 Homecrest Ave, Brooklyn NY 11235

Phone: 718-676-9391

Best Time: 5;00pm

E-mail: [erzsi1945@yahoo.com](mailto:erzsi1945@yahoo.com)

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Description of Other Type of Position: new born baby care

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Children,, Seniors,, Ventilators,, Wheelchairs,, Lifters,, Mental Impairments / Alzheimer's Disease,, Special Diets,, Other,

Description of Special Diets: as doctor order, I follow

Description of Languages: Hungarian, English

Description of Other: little Romanian

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Home Health Aid,, Other,

Description of Other Certificate/License: computer for beginner, certificate

Hours per Week: 10

Days per Week: 4 days

Preferred Start Time: negotiable

Days I Would Like to Work: Monday - Tuesday - Wednesday, Thursday

I am willing to work a 24 Hour Sleep-In schedule: occasionally

Target Salary Per Hour: 13.50

Comments: I am working with aged sick ladies, for 4 years, including, vent, wheelchair, hoyer, or longer period as helping light household, meals, bath ,laundry ,denture, keeping in company, walking ,playing rummy game, senior center visits daily etc.

**Angela Outerbridge () on Tuesday, December 16, 2014 at 06:59:42**

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Address: 2685 Creston AVE. Apt. 2L,Bronx,NY

Phone: 718-764-3488

Best Time: 9-5PM

E-mail: [aouterbridge243@gmail.com](mailto:aouterbridge243@gmail.com)

Email Authorization: Yes

Gender: Female

Type of Position: Other Type of Position

Description of Other Type of Position: RN

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Seniors,, Wheelchairs,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,

Description of Special Diets: Renal, Diabetic, Gout

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: RN,

Days per Week: 2

Preferred Start Time: 9AM

Days I Would Like to Work: Saturday and Sunday

Target Salary Per Hour: \$45.00

Comments: I'm an experienced Registered Nurse. My background is mainly in Home Care but I've also worked in the Hospital and Nursing Home. I am available to do Medication Prepours, Injections, Plan weekly diet for specific Medical conditions, GT feedings and Glucose Finger stick monitoring. Also I can assist with arranging medical appointments. I'm very flexible, willing and able to assist you to achieve your healthcare goals.

**Dior Diack () on Monday, December 15, 2014 at 23:44:18**

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Address: 1845 Barnes avenue, Bronx New York 10462

Phone: 347-526-2264

Best Time: Afternoon

E-mail: [Belledior@hotmail.com](mailto:Belledior@hotmail.com)

Email Authorization: Yes

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Seniors,, Wheelchairs,, Lifters,, Mental Impairments / Alzheimer's Disease,, Languages

Description of Languages: English, French

Documentation Available: Social Security Number,, Proof of Identity,

Certificate/License: Personal Care,, Home Health Aid,

I am willing to work a 24 Hour Sleep-In schedule: Yes

**Donna Waldron () on Monday, December 15, 2014 at 13:34:24**

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Address: 795 Lexington Avenue, Brooklyn, NY

E-mail: [hillarya2009@gmail.com](mailto:hillarya2009@gmail.com)

Email Authorization: Yes

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Seniors,, Wheelchairs,, Lifters,, Other Equipment,, Mental Impairments /

Alzheimer's Disease,, Special Diets,, Languages

Description of Special Diets: diabetic, low sodium, low cholesterol, bland

Description of Languages: English only

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Home Health Aid,

Hours per Week: 60

Days per Week: 5

Preferred Start Time: 7-8pm

Days I Would Like to Work: Mon. to Thursday overnights, Friday & Sat Days

I am willing to work a 24 Hour Sleep-In schedule: can do 12 hr overnights - not sleep in

Target Salary Per Hour: neg.

Comments: Very competent, very kind and sensitive to needs person. NYS certified HHA. 2+ years of experience. Many references.

**Tania Cama () on Monday, December 15, 2014 at 12:53:38**

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Address: 65 Columbia Street #16-G New York, NY 10002

Phone: 718-640-0823

Best Time: Anytime

E-mail: [tanleo724@yahoo.com](mailto:tanleo724@yahoo.com)

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: Yes

Consumer/Surrogate References Available: Yes

Enrolled with a CDPAP: Yes

CDPAP Agency Name(s): Concepts of Independence

Experience: Children,, Teens,, Young Adults,, Seniors,, Amputation,, Wheelchairs,,

Other Equipment,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory

Impairments,, Languages

Description of Languages: Spanish

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Driver's License,, Other,

Description of Other Certificate/License: Medical Assistant

Hours per Week: 40

Days per Week: 5

Preferred Start Time: 8am

Days I Would Like to Work: M-F

I am willing to work a 24 Hour Sleep-In schedule: Yes

Target Salary Per Hour: 11.10

**Exaviour Washington () on Monday, December 15, 2014 at 12:19:39**

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Address: 1706 Nelson Ave

Phone: 321-747-3909

Best Time: 8 am

E-mail: [Ehilson90@gmail.com](mailto:Ehilson90@gmail.com)

Email Authorization: Yes

Gender: Male

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Children,, Teens,, Young Adults,, Seniors,, Wheelchairs,, Lifters,, Mental Impairments / Alzheimer's Disease,, Special Diets,

Documentation Available: Social Security Number,, Proof of Identity,, Recommendations

Certificate/License: Personal Care,, Driver's License,

Hours per Week: 25

Days per Week: 3

Preferred Start Time: 10 am

Days I Would Like to Work: Tuesday, Wednesday, Friday

I am willing to work a 24 Hour Sleep-In schedule: Yes

Target Salary Per Hour: 11.50

Comments: I am BLS certified, CPR certified and a certified phlebotomist.

**Mofammed Rabiul Awal () on Monday, December 15, 2014 at 01:54:03**

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Address: 84-50 169th Street #400, Jamaica, NY 11432

Phone: 718-864-9505

Best Time: Anytime

Gender: Male

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Young Adults,, Paraplegia,, Quadriplegia,, Ventilators,, Wheelchairs,, Lifters,, Other Equipment,, Mental Impairments / Alzheimer's Disease,



Documentation Available: Social Security Number,, Proof of Identity,  
Certificate/License: Driver's License,  
Days per Week: 7  
Preferred Start Time: ASAP  
Days I Would Like to Work: Any days  
I am willing to work a 24 Hour Sleep-In schedule: yes  
Comments: Dependable, hardworking and flexible

**Galyna Kernitska () on Sunday, December 14, 2014 at 23:49:11**

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Address: 2021 78 Street Brooklyn NY 11214

Phone: 917 459 0210

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Seniors,

Documentation Available: Social Security Number,, Proof of Identity,,  
Recommendations

Certificate/License: Home Health Aid,, Driver's License,

Hours per Week: 30

Days per Week: 3

Days I Would Like to Work: nights

Target Salary Per Hour: 20

**Margaret Simon () on Sunday, December 14, 2014 at 14:59:51**

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Address: 362 Amboy Street Brooklyn NY 11212

Phone: 631 565 3213

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Seniors,, Wheelchairs,, Visual / Auditory Impairments,

Documentation Available: Proof of Identity,, Recommendations

Days per Week: 7

I am willing to work a 24 Hour Sleep-In schedule: Yes

Target Salary Per Day: 115

**Suzette Campbell () on Sunday, December 14, 2014 at 13:30:08**

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Address: 217 South Clinton Street, East Orange NJ,07018

Phone: 347-373-0586

Best Time: day time

E-mail: [alee3931@gmail.com](mailto:alee3931@gmail.com)

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Teens,, Young Adults,, Seniors,, Wheelchairs,, Lifters,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,, Special Diets,

Description of Special Diets: no salt or spice vegetables, portion control,

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Home Health Aid,

Hours per Week: 40+

Days per Week: 7

Preferred Start Time: 8pm

Days I Would Like to Work: Sunday-Saturday (over night)

I am willing to work a 24 Hour Sleep-In schedule: yes

Target Salary Per Day: 110

Comments: I am loving, caring, dependable, hardworking, follow directions with a keen interest to learn to learn, have experience with Alzheimer's, Parkinson's, and Dementia disease, bedbound and strokes patients. Provide assistance with daily activities including medication reminder and personal hygiene, exercising etc. I am also a good cook, very organized and do light housekeeping. Thanks in advance.

**Crystal Mitchell () on Sunday, December 14, 2014 at 13:03:33**

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Address: 614 Vermont Street Brooklyn NY 11207

Phone: 9292366510

Best Time: anytime

E-mail: [mrychra5yahoo.com](mailto:mrychra5yahoo.com)

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: Yes

Experience: Children,, Teens,, Young Adults,, Seniors,, Amputation,, Wheelchairs,,  
Lifters,, Other Equipment,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory  
Impairments,, Special Diets,

Documentation Available: Social Security Number,, Proof of Identity,,  
Recommendations

Certificate/License: Home Health Aid,

Hours per Week: 20

Days per Week: 5

Preferred Start Time: Afternoon

Days I Would Like to Work: Mon to Fri

Target Salary Per Hour: 11.00hou

**Aaron Liburd () on Sunday, December 14, 2014 at 11:00:57**

-----

Address: 75 Barclay St.

Phone: 516-582-9617

E-mail: [Aliburd2830@gmail.com](mailto:Aliburd2830@gmail.com)

Email Authorization: Yes

Gender: Male

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: Yes

Consumer/Surrogate References Available: Yes

Years Employed with a Consumer/Surrogate: 2012-2014

Enrolled with a CDPAP: Yes

CDPAP Agency Name(s): South Shore / RECCO

Experience: Young Adults,, Seniors,, Lifters,, Mental Impairments / Alzheimer's Disease,

Documentation Available: Social Security Number,, Proof of Identity,,  
Recommendations

Certificate/License: Driver's License,

Hours per Week: 40

Days per Week: 7

Preferred Start Time: 7-9am

Days I Would Like to Work: Monday-Friday

I am willing to work a 24 Hour Sleep-In schedule: Yes

Target Salary Per Hour: 13

**Noman Khan () on Sunday, December 14, 2014 at 03:10:38**

---

Address: 264 Avenue O, Apt. D4 Brooklyn 11230 NY

Phone: 3473204838

Best Time: Noon

Gender: Male

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Children,, Teens,, Young Adults,, Seniors,, Wheelchairs,

Description of Languages: English, Urdu, Hindi, Pashto, Punjabi, Arabic

Documentation Available: Proof of Identity,, Recommendations

Hours per Week: 40

Days per Week: 5

Preferred Start Time: Immediate

Days I Would Like to Work: Monday - Friday

I am willing to work a 24 Hour Sleep-In schedule: Yes

Comments: I am a Civil Engineer. I have done my Masters in Project Management. I have excellent interpersonal and communication skills. I have positive attitude.

**Doreen Haughton () on Saturday, December 13, 2014 at 20:21:00**

---

Address: 24516 149 rd Rosedale NY 11422

Phone: 3476656526

E-mail: [dsweetsop@gmail.com](mailto:dsweetsop@gmail.com)

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: Yes

Consumer/Surrogate References Available: Yes

Years Employed with a Consumer/Surrogate: 2

Enrolled with a CDPAP: Yes

CDPAP Agency Name(s): Recco

Experience: Seniors,, Amputation,, Wheelchairs,, Lifters,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Description of Other Certificate/License: nursing assistant

Hours per Week: 20

Days per Week: 4

Preferred Start Time: 8 am

Days I Would Like to Work: Sunday Monday Wednesday Friday

Target Salary Per Hour: 14.00

Comments: i have 15 years of experience working in a long term facility,2 years working CDPAP case. Assist clients with daily activities.

**Camillia Callaghan () on Saturday, December 13, 2014 at 19:42:11**

---

Address: 145 34 243<sup>rd</sup> Street

Phone: 516 444 5302

Best Time: 516 444 53

E-mail: [ccallaghan96@yahoo.com](mailto:ccallaghan96@yahoo.com)

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: Yes

Consumer/Surrogate References Available: Yes

Years Employed with a Consumer/Surrogate: 3

Enrolled with a CDPAP: Yes

CDPAP Agency Name(s): Serene home nursing agency

Experience: Children,, Young Adults,, Seniors,, Paraplegia,, Amputation,, Ventilators,, Wheelchairs,, Mental Impairments / Alzheimer's Disease,, Special Diets,, Languages

Description of Special Diets: low sodium puree

Documentation Available: Social Security Number,, Proof of Identity,

Certificate/License: Personal Care,, Home Health Aid,

Hours per Week: 40+

Days per Week: 2-7

Preferred Start Time: ASAP

Days I Would Like to Work: flexible

I am willing to work a 24 Hour Sleep-In schedule: yes

Target Salary Per Hour: 13+

Target Salary Per Day: 140

Comments: I Have been working in the health field for 7 years I have many years of experience with different types of clients from the mentally disabled to the elderly with Alzheimer's dementia

**Fernando Gramajo () on Saturday, December 13, 2014 at 19:24:10**

---

Address: 137 Larchmont Ave. 1A, Larchmont, N.Y., 10538

Phone: 646-545-9753

Best Time: any time

E-mail: [vamospatria@yahoo.com](mailto:vamospatria@yahoo.com)

Email Authorization: Yes

Gender: Male

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Experience: Seniors,, Paraplegia,, Quadriplegia,, Hemiplegia,, Wheelchairs,, Lifters,, Other Equipment,, Mental Impairments / Alzheimer's Disease,

Description of Languages: English-Spanish

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Personal Care,, Home Health Aid,, Driver's License,, Other,

Description of Other Certificate/License: CNA.

Days I Would Like to Work: Live-In

I am willing to work a 24 Hour Sleep-In schedule: Live-In

Comments: I am experienced, honest, reliable and responsible. Non-smoker and a mature and well educated person. Willing to work LIVE IN...24/7. Resume and good references. \*COMPASSION FOR AND DESIRE TO WORK WITH THE ELDERLY\*

**Nykia Jenkins () on Saturday, December 13, 2014 at 18:20:10**

---

Address: 12 Rose Avenue Spring Valley, NY 10977

Phone: 845-538-6346

Best Time: Anytime

E-mail: [nykiaj91@gmail.com](mailto:nykiaj91@gmail.com)

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Experience: Children,, Seniors,, Wheelchairs,

Description of Languages: English and Spanish

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Driver's License,

Hours per Week: 30

Days per Week: 2

Days I Would Like to Work: Tuesday, Wednesdays, or Thursdays

I am willing to work a 24 Hour Sleep-In schedule: no

Target Salary Per Hour: 10

Comments: I am upcoming Medical Assistant in my 2<sup>nd</sup> Semester. Along with my studies I am one of the core care takers of my grandma who is 98 years old. I assist her with daily routine things: medicine, meals, entertainment, walks, and just spending quality time with her. I learned how to take blood pressure readings and also know how to measure pit medicine dosages correctly. When I am not caring for her I get the pleasure of working with a family friend's grandfather who is in his 80's assisting him with the same duties. My first language is English but I am also fluent in Spanish.

**Marvalyn Gayle () on Saturday, December 13, 2014 at 17:19:02**

---

Address: 739 e 213 Street, Bronx NY 10467

Phone: 646 323 6449

Best Time: any time

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Experience: Seniors,, Paraplegia,, Quadriplegia,, Hemiplegia,, Amputation,, Wheelchairs,, Lifters,, Mental Impairments / Alzheimer's Disease,, Visual / Auditory Impairments,

Documentation Available: Social Security Number,, Proof of Identity,, Recommendations

Certificate/License: Personal Care,, Home Health Aid,, Driver's License,

Hours per Week: 40

Days per Week: 5

Preferred Start Time: 11.15.14

Days I Would Like to Work: Monday Friday

I am willing to work a 24 Hour Sleep-In schedule: no

Target Salary Per Hour: 15

Target Salary Per Day: 150\_180

Comments: I have been a caregiver for the past 10 years with experience and excellent references upon request I am a loving, caring, honest, reliable, trustworthy, punctual individual who love to take care of the elderly and the disabled and to make comfortable in their home, I must say I love my work and love what i do and am very good at it.

**Danielle Baptiste () on Saturday, December 13, 2014 at 17:00:33**

---

Address: 423 Loretto Street Staten Island NY 10307

Phone: 718 864 3141

Best Time: any

E-mail: [Daniellebaptiste.761@gmail.com](mailto:Daniellebaptiste.761@gmail.com)

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Enrolled with a CDPAP: No

Experience: Children,, Young Adults,, Wheelchairs,, Lifters,

Documentation Available: Social Security Number,, Proof of Identity,,  
Recommendations

Description of Other Certificate/License: none

Hours per Week: 40

Days per Week: 7

Preferred Start Time: 8a.m

Days I Would Like to Work: Monday-Sunday

I am willing to work a 24 Hour Sleep-In schedule: no

Target Salary Per Hour: 9.00

Comments: I have housekeeping experience, and I used to take care of my mom from the age of 12 to 16 she is bed written. I know how to use lifter and feed and give medicine orally and through feeding tube.

**Denise grant () on Saturday, December 13, 2014 at 16:39:18**

-----

Phone: 167 hart street

Best Time: 7188099946

E-mail: [denisegrant803@gmail.com](mailto:denisegrant803@gmail.com)

Email Authorization: Yes

Gender: Female

Type of Position: Personal Care / Home Health

Experience: Children,, Seniors,, Wheelchairs,, Special Diets,

Description of Special Diets: diabetics

**Elizabeth Poodoon () on Tuesday, December 9, 2014 at 03:03:39**

-----

Address: 123-16 116th Avenue South Ozone Park Queens NY 11420

Phone: 718-350-6989

E-mail: [eveerasammy@gmail.com](mailto:eveerasammy@gmail.com)



Gender: Female

Type of Position: Personal Care / Home Health

Worked with a CDPAP Consumer/Surrogate: No

Consumer/Surrogate References Available: No

Enrolled with a CDPAP: No

Experience: Seniors,, Ventilators,, Visual / Auditory Impairments,, Special Diets,

Description of Special Diets: Diabetes, High Blood Pressure, Renal Failure

Description of Languages: English

Documentation Available: Social Security Number,, Proof of Identity,,

Recommendations

Certificate/License: Home Health Aid,, Driver's License,, Other,

Description of Other Certificate/License: Some College

Hours per Week: 40

Days per Week: 5

Preferred Start Time: 9am

Days I Would Like to Work: Mon-Fri

I am willing to work a 24 Hour Sleep-In schedule: no

Target Salary Per Hour: 15

Comments: I'm a certified HHA . I have experience in bathing, dressing, grooming, doctors appointments, light meal preparation, grocery shopping, light housekeeping, companionship and transferring patients from bed to wheelchair. I have experience in dealing with Alzheimer's, Parkinson's, Dementia, and stroke patients. I am medically knowledgeable and can administer insulin and other medications, I enjoy taking care of the elderly and I do this with the utmost care and patience. I am a very caring, responsible, and trustworthy person, punctuality is very important. I sincerely have a passion for helping those who in some way or the other cannot do it themselves...

Looking forward to hearing from you I can be reached at 718-350-6989

## **Articles Related to the CDPAP**

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## **ADAPT Applauds District Court for Granting Temporary Restraining Order on DOL Companionship Rule Changes**

From: Bruce Darling [bdarling@cdrnys.org](mailto:bdarling@cdrnys.org)

ADAPT is relieved to learn that the US District Court for the District of Columbia has issued a temporary restraining order for the DoL's companionship rule changes in the Fair Labor Standards Act. The rule changes promulgated by the US Department of Labor created an unfunded mandate to pay attendants travel time and time-and-a-half for overtime hours which would result in the capping of attendant hours because the vast majority of state Medicaid programs do not cover the cost of the new DOL-mandated overtime. Many attendants who work more than 40 hours per week will be forced to work for multiple agencies or leave the field to maintain their current income levels. This mandate will also force PWDs into institutions; cause lapses in services that will result in harm, illness, and death to PWDs; and violate the civil rights of disabled people.

ADAPT has been working for yrs to address the unintended & serious consequences for attendants and attendant service users. We had vigorously advocated that DOL delay the effective date of the rules by 18 mos because most states had not had a full budget cycle in order to fund the changes, and some states

hadn't even begun their budget process.

When DOL refused to delay the effective date, ADAPT decided to support the litigation of the Home Care Assoc of America, submitting an affidavit to the US District Court Judge in this case explaining the harm that PWDs and attendants will experience if the new rule is implemented.

On 01/09/15, the judge will rule on a preliminary injunction in this case. We hope that the judge will, again, rule in favor of the rights of PWDs so that our attendants can keep their jobs and we can remain safe, happy, and healthy in our homes in the New Year. We are committed to improving the wages and benefits of attendants and will continue our advocacy to do that without undercutting the freedom and rights of PWDs.

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ADAPT is a national grass-roots community that organizes disability rights activists to engage in nonviolent direct action, including civil disobedience, to assure the civil and human rights of people with disabilities to live in freedom.

## **STATEMENT OF CDPAANYS EXECUTIVE DIRECTOR BRYAN O'MALLEY ON THE TEMPORARY RESTRAINING ORDER FOR THE FAIR LABOR STANDARDS ACT**

The Consumer Directed Personal Assistance Association of New York State (CDPAANYS) is heartened by the decision to issue a temporary stay on the unfunded requirement to pay home care workers and personal assistants in the consumer directed personal assistance program time and a half over forty hours.

If the Judge rules in favor of the Home Care Association of America later in January, CDPAANYS hopes we can count on SEIU, AFSCME, PHI and the other proponents of this regulatory change to join in our work with consumers and

workers to raise the wage for personal assistants in a way that helps workers and strengthens quality of care. Recognizing that pay rates must be tied to Medicaid reimbursement, we will continue to push for legislation that requires managed care companies in Medicaid to reimburse at a level that allows workers to be paid a living wage.

## **ADAPT Applauds District Court for Granting Temporary Restraining Order on DOL Companionship Rule Changes**

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On 01/09/15, the judge will rule on a preliminary injunction in this case. We hope that the judge will, again, rule in favor of the rights of PWDs so that our attendants can keep their jobs and we can remain safe, happy, and healthy in our homes in the New Year. We are committed to improving the wages and benefits of attendants and will continue our advocacy to do that without undercutting the freedom and rights of PWDs.

\*\*\*

ADAPT is a national grass-roots community that organizes disability rights activists to engage in nonviolent direct action, including civil disobedience, to assure the civil and human rights of people with disabilities to live in freedom.

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## **Update on Court Ruling Related to the Companionship Exemption**

HCA has been in close communication with the National Association for Home Care and Hospice (NAHC) about ongoing developments in its lawsuit targeting federal changes to the companionship exemption of the Fair Labor Standards Act (FLSA) related to home care services.

As we reported in a December 23 Alert, a federal court has sided with plaintiffs on at least one aspect of the case; it ruled that the U.S. Department of Labor (DOL) violated the plain language of the FLSA by issuing a rule excluding third-party employers from utilizing the "companionship services" and "live-in domestic services" overtime exemptions.

Please see the December 23<sup>rd</sup> Alert below for a set of questions and answers (Q&As) on the implications of this ruling.

It should be stressed that though this ruling addresses the application of the "companionship exemption" for third-party employers, it does not address separate provisions of DOL's rule which have narrowed the very definition of "companionship services." As a result, even if this ruling ultimately results in the permissibility of home care agencies claiming the "companionship exemption," the

separate definitional changes will mean that most home care cases won't meet the new definition of companionship services, unless the court acts on those provisions as well.

Under the new definition, companionship services mean services that provide "fellowship and protection" and in which no more than 20 percent of a worker's hours per patient per week may be devoted to "care" tasks, such as dressing, toileting, feeding, meal preparation and bathing.

Also, while the court ruled against excluding third parties from the live-in domestic service overtime exemption, DOL has defined "live-in cases" in the following manner that is different from what home care providers consider to be live-in or sleep-in cases: "In order to be a live-in domestic service worker, a worker must reside on the employer's premises either 'permanently' or for 'extended periods of time.'" Please see the following section for DOL's definitions for the terms ("permanently" and "extended periods of time")

It is unclear how the New York State Department of Labor will treat such cases.

Latest updates on next steps

NAHC asked DOL to put a hold on the entire rule pertaining to companionship services/exemptions until the court could review the rest of the lawsuit's claims. DOL declined this request, which means that home care companies could still be at risk for private litigation if they do not comply with the rule starting tomorrow, January 1, 2015.

As communicated to the membership in prior editions of our ASAP newsletter, DOL decided it will not enforce the rule for six months; however, DOL's decision to temporarily suspend enforcement of the rule does not suspend the rule altogether, nor does it prevent private litigation from going forward as a mechanism for enforcement.

NAHC's Vice President For Law Bill Dombi, who is arguing the case on behalf of NAHC, provided the following further analysis of the ruling in a message to the Forum of State Associations last week:

For "live-in services," this ruling will result in a continuation of the longstanding standards that home care business applied in their operations. However, for hourly or shift-based personal care services, the ruling is only one step towards maintaining the existing standards exempting such employees from both minimum wage and overtime requirements. The significantly revised definition of "companionship services" must still be addressed by the court. If that revised definition is not invalidated before January 1, 2015, virtually all home care workers, other than live-ins, will become entitled to minimum wage and overtime. The only such workers that would fall under the exemption would be those that predominately provide "fellowship" services with no more than 20% of work activities involving personal care or housekeeping tasks.

This decision leaves many questions still unanswered, including the interaction between the federal government's definition of "live-in cases" versus New York's definition and other ways in which the rule interacts with state law.

As HCA has stressed in prior communications, New York State law already requires a minimum wage for home care workers, plus overtime. For New York State, the new federal regulations disallowing a companionship exemption in home care would require that overtime be calculated based on the regular rate of pay, not time-and-a-half of the minimum wage.

A hearing is set for today in which the plaintiffs are seeking an emergency motion to stay the regulation's narrow definition of "companionship services," at which point we will learn more and report back to the membership.

It is also very likely that DOL will appeal the federal decision or seek a stay of the judge's order.

Please stay tuned for further updates as they emerge.

**Wage and Hour Division (WHD)**

(September 2013) ([PDF](#))

## Fact Sheet #79B: Live-in Domestic Service Workers Under the Fair Labor Standards Act (FLSA)

This fact sheet explains which workers are live-in domestic service employees under the FLSA, including when an employer may claim the FLSA's overtime compensation exemption for such workers.

### Who Is a Live-In Domestic Service Worker?

Domestic service workers provide services of a household nature in or about a private home. (See [Fact Sheet #79: Private Homes and Domestic Service Employment Under the Fair Labor Standards Act \(FLSA\)](#) for information about what qualifies as a private home.) Domestic service workers include companions, babysitters, cooks, waiters, maids, housekeepers, nannies, nurses, caretakers, handymen, gardeners, home health aides, personal care aides, and family chauffeurs.

Persons employed in domestic service in private homes are covered by the FLSA; they must be paid at least the federal minimum wage for all hours worked and overtime pay at time and a half the regular rate of pay for all hours worked over 40 in a workweek, unless they are subject to an exemption. (See [Fact Sheet #79A Companionship Services Under the Fair Labor Standards Act \(FLSA\)](#) for information about the "companionship services" exemption.) Domestic service workers who reside in the employer's home (and thus are "live-in" domestic service workers) may be exempt from the FLSA's overtime pay requirement.

In order to be a live-in domestic service worker, a worker must reside on the employer's premises either "permanently" or for "extended periods of time."

- A worker resides on the employer's premises permanently when he or she lives, works, and sleeps on the employer's premises seven days per week and therefore has no home of his or her own other than the one provided by the employer under the employment agreement.



- A worker resides on the employer's premises for an extended period of time when he or she lives, works and sleeps on the employer's premises for five days a week (120 hours or more). If a domestic worker spends less than 120 hours per week working and sleeping on the employer's premises, but spends five consecutive days or nights residing on the premises, this also constitutes an extended period of time.
  - Example: An employee who resides on the employer's premises five consecutive days from 9:00 a.m. Monday until 5:00 p.m. Friday (sleeping four consecutive nights on the premises) is residing on the employer's premises for an extended period of time.
  - Example: A worker who resides on the employer's premises five consecutive nights from 9:00 p.m. Monday until 9:00 a.m. Saturday (sleeping four straight days on the premises) is considered to reside on the employer's premises for an extended period of time.

Employees who do not meet this definition are not considered live-in domestic service workers and must be paid at least the federal minimum wage for all hours worked and overtime pay at one and a half times the regular rate of pay for all hours worked over 40 in a workweek.

- Workers who work temporarily for the household for only a short period of time, such as two weeks, are not considered live-in domestic service workers, because residing on the premises of the household implies more than temporary activity. The employer, in this case, cannot claim the overtime pay exemption and must pay overtime at one and a half times the regular rate of pay for all hours worked over 40 in the workweek.
- Workers who work 24-hour shifts but are not residing on the employer's premises "permanently" or for "extended periods of time" are not considered live-in domestic service workers and, thus, the workers must be paid overtime at one and a half times the regular rate of pay for all hours worked over 40 in the workweek.

Who Can Claim the Exemption?

Domestic service workers who reside in the employer's home and are employed by an individual, family, or household are exempt from the overtime pay requirement, although they must be paid at least the federal minimum wage for all hours worked.

The Department of Labor amended its regulations governing the employment of live-in domestic service workers. Under the revised regulations, effective January 1, 2015, third party employers, such as home care agencies, may not claim the overtime exemption for live-in domestic service workers, and must pay such workers at least the federal minimum wage for all hours worked and overtime pay at one and a half times the regular rate of pay for all hours worked over 40 in a workweek, even if the worker is jointly employed by the household. (See [Fact Sheet #79E: Joint Employment in Domestic Service Employment Under the Fair Labor Standards Act \(FLSA\)](#) for information about joint employment.)

#### What are the FLSA Requirements Regarding Live-In Domestic Service Workers?

Employers must pay live-in domestic service workers at least the federal minimum wage, currently \$7.25 per hour, for all hours worked. (The worker may be entitled to a higher hourly wage under state law requirements.) When a live-in worker engages in typical private pursuits such as eating, sleeping, entertaining, and other periods of complete freedom from all duties, he or she does not have to be paid for that time. For a live-in domestic service employee, such as a live-in home health aide or a nanny, the employer and worker may agree to exclude the amount of time spent during a bona fide meal period, sleep period, and off-duty time. If the meal periods, sleep time, or other periods of free time are interrupted by a call to duty, the interruption must be counted as hours worked. In these circumstances, the Department will accept any reasonable agreement of the parties, taking into consideration all of the pertinent facts. However, the employer must still track and record all hours worked by domestic service workers, including live-in employees, and the workers must be compensated for all hours actually worked notwithstanding the existence of an agreement.

(See [Fact Sheet #79D Hours Worked Applicable to Domestic Service Employment Under the Fair Labor Standards Act \(FLSA\)](#).)

The employer must maintain a copy of the agreement discussed above. If the number of hours actually worked consistently differs from the existing agreement, the employer and live-in domestic service worker must enter into a new written agreement that reflects the actual hours worked by the worker. Under the Department's revised regulations, effective January 1, 2015, the employer is also required to keep records showing, among other things, the exact number of hours worked by the live-in domestic service worker. The employer may do this, however, by requiring the worker to record his or her actual hours worked and to submit that record to the employer. See 29 CFR § 516.2(a) and § 552.110. Some employers may develop recordkeeping forms that, for example, require the worker to identify what tasks were performed and the hours spent in various activities; others may simply require employees to keep notes by hand of their hours worked; and, of course, employers may decide to record the hours themselves. In any case, the employer's failure to keep accurate record of hours worked may result in back wage liability. (See [Fact Sheet #79C: Recordkeeping Requirements for Individuals, Families, or Households Who Employ Domestic Service Workers Under the Fair Labor Standards Act \(FLSA\)](#), for more information.)

#### Where to Obtain Additional Information

For additional information, visit our Wage and Hour Division Website: <http://www.wagehour.dol.gov> and/or call our toll-free information and helpline, available 8 a.m. to 5 p.m. in your time zone, 1-866-4USWAGE (1-866-487-9243).

This publication is for general information and is not to be considered in the same light as official statements of position contained in the Department's regulations.

**From: Bruce Darling <bdarling@cdrnys.org>**  
**To: "ADAPT List (everyone/listserve)" <adapt-list@adapt.org>**

After securing a court decision to vacate the third-party employer provision in the changes to the FLSA, on December 24th the National Association for Home Care and Hospice filed a motion on the narrowed definition of companionship in

the revised companionship exemption rules.

ADAPT and NCIL both submitted affidavits explaining the harmful impact that these rules will have on both people with disabilities and attendants because DOL refused to extend the effective date to give state-level advocates the time we needed to fund these changes in the Medicaid programs.

Yesterday (12/29), the home care association had a conference with the judge who scheduled a hearing on their motion for Wednesday (12/31) at noon. The judge indicated that he will rule on the Temporary Restraining Order request then.

The judge has also established an accelerated briefing schedule on briefs for a Preliminary Injunction (PI). Briefs will be completed by both parties a week from Wednesday. The judge will hold a hearing on the PI on Friday, January 9th and issue a decision that day.

We will keep you updated as these progresses.

## **Judge: DOL Rule on Companionship Exemption Violates 'Plain Language' of FLSA**

December 23, 2014

HCA members should await further updates on the effect of this ruling for overtime in 2015

In a case brought by the National Association for Home Care and Hospice (NAHC), a federal court has ruled that the U.S. Department of Labor (DOL) violated the plain language of the Fair Labor Standards Act (FLSA) with its regulation that excluded third-party employers from the application of the "companionship services" and "live-in domestic services" overtime exemptions.

Depending on further DOL and court action, this ruling may affect the changes in overtime that apply on January 1, 2015.

HCA members are urged to look for more updates from HCA before taking any action on their overtime practices starting January 1, 2015.

NAHC's Vice President for Law Bill Dombi yesterday sent the following questions and answers (Q&As) which provide further background on the implications of this ruling. Please stay tuned for further updates as we learn more about the ruling.

**The Overtime Lawsuit: What Does the Court Ruling Mean?**  
(Source: NAHC)

The decision issued by the federal court on December 22, 2014 is a big win for home care, but much remains to be done to fully preserve the overtime exemptions for companionship services and live-in domestic services. Here are some of the most important things to know to understand the impact of the decision and what it means to home care.

**Q. What did the court rule?**

A. The court ruled that the U.S. Department of Labor violated the plain language of the Fair Labor Standards Act (FLSA) with its regulation that excluded third-party employers from the application of the "companionship services" and "live-in domestic services" overtime exemptions. Home care companies are considered third-party employers. Home care workers employed by the direct consumer of the care or their family members acting as the employer are the only parties that could have used the exemptions under the rule that was invalidated by the court. This does not change any state laws that already limit the exemptions or their application.

**Q. Does this mean that home care companies do not have to pay hourly home care aides overtime?**

A. No. The regulation also redefined companionship services, limiting that definition to fellowship services and no more than 20% of time on personal care or housekeeping tasks. The lawsuit also challenges that part of the new regulation as well. However, that part of the case has not yet been presented to the court. We are now preparing to do so.

**Q. Why wasn't the definition of "companionship services" presented to the court earlier?**

A. A tactical decision was made on how the case would be litigated. If the definitional issue was presented before or concurrent with the third-party employer issue, there was a serious risk that the lawsuit could make matters worse for home care companies. If the court invalidated the definition of "companionship services," but upheld the exclusion of third-party employers from the application of the exemption, home care companies would be outside an expanded exemption. Workers directly employed by the consumer would have qualified for the exemption. That would put home care companies at a cost disadvantage to consumer/employer care. Consumers (and state Medicaid programs) would have bypassed the agency model of care in favor of direct employment to save money.

**Q. When will there be a court ruling on the definition of "companionship services?"**

A. A discussion of that will occur between legal counsel from both sides on December 23. It is hoped that the Department of Labor will agree to a temporary hold on the new rule consistent with its "policy action" under which the government will not enforce the rule for at least six months. To do so, the government only needs to agree that private enforcement will be put on hold as well.

**Q. If the government does not agree to hold off on the rule, what happens next?**

A. We will then need to go back into court to get a temporary injunction before January 1. That will require that we show that we are likely to succeed on the merits when the court fully hears the case and that home care companies will suffer irreparable harm if the court does not maintain the status quo with the current rule.

**Q. What about live-in services?**

A. The only substantive change that the new rule made to live-in services is the exclusion of workers employed by third-party employers from the exemption. "Live-in domestic services" is a much broader class of employees that would

include personal care and housekeeping workers. As such, the court ruling effectively returns that exemption to its current state. Home care companies would not be required to pay live-in workers overtime unless state law requires such.

**Q. What should we do now in our company?**

A. The best advice we can offer is to "stay tuned" over the next week as much as possible and will happen to clarify things. However, it would be prudent to continue to expect to trigger whatever action you planned to take on January 1 in the absence of the court's decision. Things can change that dramatically, that quickly.

**Q. Will the government appeal?**

A. That is one option open to the Department of Labor. However, they would need to get the federal judge to stay his ruling pending any appeal. If the judge refuses to do so, the government would need to get the Court of Appeals to issue a stay.

## **Local Independent Living Centers**

- Bronx Independent Living Services, Inc. (BILS)  
4419 Third Ave, #2C, Bronx, NY 10457  
TEL [718 515-2800 x 116](tel:7185152800) / TTY [718 515-2803](tel:7185152803) / FAX [718 515-2844](tel:7185152844)
- Brooklyn Center for Independence of the Disabled (BCID)  
27 Smith St, #200, Brooklyn, NY 11201  
TEL [718 998-3000](tel:7189983000) / TTY [718 998-7406](tel:7189987406) / FAX [718 998-3743](tel:7189983743)
- Center for Independence of the Disabled in NY (CID-NY) (Manhattan)  
841 Broadway, #301, New York, NY 10003  
TEL [212 674-2300](tel:2126742300) V / TTY [212-674-5619](tel:2126745619) / FAX [212-254-5953](tel:2122545953)
- CID-NY/Queens  
137-02A Northern Blvd, Flushing, NY 11354  
Phone: [646-442-1520](tel:6464421520) / Sorenson VP [866-948-1064](tel:8669481064) / TTY [718-886-0427](tel:7188860427) / Fax 718-886-0428
- Harlem Independent Living Center (HILC) (Manhattan)  
289 St. Nicholas Ave, #21 Lower Level, New York, NY 10027  
TEL 212-222-7122 / Sorenson VP 646-755-3092 / Relay 866-326-5876 / FAX 212-222-7199  
[info@hilc.org](mailto:info@hilc.org)
- Staten Island Center for Independent Living (SIILC)  
470 Castleton Ave, Staten Island, NY 10301  
TEL 718-720-9016 / TTY 718-720-9870 / FAX 718-720-9664
- Long Island Center for Independent Living (LICIL) (Nassau Co)  
3601 Hempstead Turnpike, #208, Levittown, NY 11756  
TEL 516-796-0144 / TEL (Español) 516-796-6176 / TTY 516-796-0135 / FAX 516-796-0529 [licil@aol.com](mailto:licil@aol.com)
- Self Initiated Living Options, Inc. (SILO) (Suffolk Co)  
2111 Lakeland Ave, Ronkonkoma, NY 11779  
TEL (31-880-7929 / TTY 631-654-8076 / FAX 631-946-6377  
[contact@siloinc.org](mailto:contact@siloinc.org)
- Westchester Independent Living Center (WILC) (Westchester/White Plains)  
200 Hamilton Ave, White Plains, NY 10601  
TEL 914-682-3926 / TTY 914-682-0926 / Sorenson Video Phone 866-933 5390 / FAX 914-682-8518
- Westchester Disabled on the Move, Inc. (WDOM) Westchester/Yonkers)  
984 No. Broadway, #L-10, Yonkers, NY 10701  
TEL 914-968-4717 V & TTY / FAX 914-968-6137



## PCA Employment Agencies

If your Personal Care Assistant (PCA) Employment Service assists Self-Pay and CDPAP Consumers in the NYC Metro Area, you can have your agency information added to the following list by completing the [Employment Service Enrollment Form](#).

**All American Home Care Agency, Albert Isakov, CEO**  
1113 Avenue J, Brooklyn, NY 11230  
[aisakov@allamericanny.com](mailto:aisakov@allamericanny.com)  
Phone: 718-717-8800

**Bronxwork Inc, Kedon Wilson**  
391 E 149th St, Bronx, NY 10455  
[kwilson@bronxworks.org](mailto:kwilson@bronxworks.org)  
(718) 993-8880 ext. 237

**Center For Family Life Employment, Maria Ferreira**  
443 39th St, Brooklyn, New York 11232  
[mferreira@cflsp.org](mailto:mferreira@cflsp.org)  
718-633-4823

**El Barrio's Operation Fight, Gustavo Rosado**  
413 E 120th St # 403 New York, NY 10035-3602  
[ebobf413@aol.com](mailto:ebobf413@aol.com)  
212-410-7900

**Fifth Avenue Committee, Aaron Shiffman**  
621 DeGraw Street, Brooklyn, New York 11217  
[ashiffman@fifthave.org](mailto:ashiffman@fifthave.org)  
718-237-2017

**Goldenhearts Elderly Care Services, Geanette Browder**  
244 5th Avenue, suite G256 New York, NY 10001  
[contact@GoldenElderlyCare.org](mailto:contact@GoldenElderlyCare.org)  
Phone: (866) 531-4620

**Home Instead Senior Care**  
400 East 56th Street, Professional Wing, Suite #2,  
New York, NY 10022  
[Recruiting.NYC@homeinstead.com](mailto:Recruiting.NYC@homeinstead.com)  
Phone: 212-614-8057

**Kingsborough Comm. College, Marisa Joseph**  
2001 Oriental Blvd, Brooklyn, NY 11235  
[marisa.joseph@kbcc.cuny.edu](mailto:marisa.joseph@kbcc.cuny.edu)  
718-368-5563

**Konedu Home Care, LLC, Carie Jones Smith**  
140 Captain Thomas Blvd West Haven, CT 06516  
[helpingfamilies@koneduhomework.com](mailto:helpingfamilies@koneduhomework.com)  
Phone: [800 418-3299](tel:8004183299)

**Mercy Center, Mary Ellen Gianino**  
377 East 145th Street, Bronx NY 10454-1006  
[meg@mercycenterbronx.org](mailto:meg@mercycenterbronx.org)  
(718) 993-2789

**Reliable Homecare Solutions LLC**  
Contact: Reshmi Maharaj, Director  
104-28 117 St, 2E, Richmond Hill New York 11419  
917 378 5769  
[caresolutions09100@gmail.com](mailto:caresolutions09100@gmail.com)

**New York City College of Technology**  
NYC Technical College Placement Office  
300 Jay St, Brooklyn, NY 11201  
[employmentsvc@citytech.cuny.edu](mailto:employmentsvc@citytech.cuny.edu)  
(718) 260-5050

**Northern Manhattan Improvement Corp**  
Evan Hess  
76 Wadsworth Ave, New York, NY 10033  
[evanhess@nmic.org](mailto:evanhess@nmic.org)  
212-822-8300

**Our Planet Management Institute, Lisa Ying**  
116 John Street, #200, New York, NY 10038  
[lisa@opmi.org](mailto:lisa@opmi.org), 212-269-4000

**YWCA of NYC, Anne Alfred**  
50 Broadway, New York, NY 10004  
[aalfred@ywcanyc.org](mailto:aalfred@ywcanyc.org)  
718-723-6170

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