

## New PCA Benefits

By Raymond Glazier

Most PCA consumers and practicing PCAs are aware of these program improvements, but potential PCAs, potential consumers, and provider staff may not be mindful of them. Since before unionization, PCAs have received time and a half pay for day hours worked on four holidays: New Year's Day, Independence Day (July 4th), Thanksgiving Day, and Christmas Day. Local 1199SEIU (Service Employees International Union) United Healthcare Workers East became the MA PCA union with the state legislature's passage of the Quality Homecare Bill in 2006. Since then there have been several PCA benefit improvements, in addition to escalations in the uniform hourly wage:

**Paid Time Off:** Starting in 2009, all eligible PCAs receive a paid time-off bonus to compensate PCAs for time taken off without pay during the year. Eligibility requirements include having worked at least a yearly total of 1500 hours in the PCA program and averaging at least twenty-five work hours per week. These payments, automatically calculated by the Fiscal Intermediary processing time sheets, do not affect the consumer's number of approved service hours.

**Overtime Pay:** In September 2013 the U.S. Department of Labor determined that the nation's 2 million direct care workers, including all PCAs were subject to minimum wage provisions and overtime protection, effective January 2015. Workers in the MassHealth PCA Program already were being paid above the minimum wage, but now they receive time and a half pay for day hours worked over 40 hours in a given week. These payments, also automatically calculated by the Fiscal Intermediary processing time sheets, do not have an impact on the consumer's number of approved service hours.

**Earned Sick Time:** Beginning in July of 2015, PCAs earn one hour of sick time for every 30 hours worked, up to 40 hours in a calendar year; this can be tracked by the number of hours year-to-date appearing on the consumer's biweekly Payroll Record. Up to 40 hours of unused sick time can be carried over to the next year. Sick time may be used to care for the PCA's physical or mental illness or medical appointment, including routine medical appointments, or for the care or medical appointment accompaniment for a PCA's child, spouse, parent, or spouse's parent, as well as to address the psychological, physical or legal effects of domestic violence. Sick time must be reported separately on a special Sick Time Activity Form that can be obtained from the consumer's Fiscal Intermediary or downloaded from their website. Hours of Sick Time are separate from, and are not subtracted from the consumer's number of approved service hours. Consumers are cautioned to be alert to

patterns of Sick Time usage that may indicate possible fraud or abuse by the PCA.

**Other Standard Benefits:** By law, PCAs also have Workers Compensation insurance coverage for on-the-job injuries and Unemployment Insurance.

**Future Benefit Goals:** Consumer advocates, including this writer, have long argued that offering a health insurance plan (perhaps MassHealth) to PCAs, including a family option would substantially contribute to a larger, more stable PCA labor pool. This strategy has worked very well for United Parcel Service in attracting a large, loyal cadre of part-time workers.

Over a decade ago, the Commonwealth commissioned a direct mail survey of a random sample of active PCAs in an effort to understand the health insurance needs of PCAs. The findings from the survey report, embargoed and never published, showed that the majority of respondents already had health insurance through another job or through a spouse. However, a major methodological shortcoming of this project was that it only surveyed persons already working as PCAs and not potential PCAs for whom the benefit might be enticing.

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