Home Care Workers Collective Bargaining Agreement Summary

After months of negotiations by the home care union bargaining team, ratification by the union members and approval from the legislature home care workers who work for participants in PCA Choice, Consumer Directed Community Supports (CDCS) or Consumer Support Grand (CSG) have reached their first Collective Bargaining Agreement (CBA) with the State of Minnesota. The agreement includes:

• **Paid Time Off** – Workers earn 1 hour of PTO for every 52 hours they work. This means a worker who works 40 hours per week will earn 5 days of PTO per year. In order to use PTO workers must get permission from the home care program participant who employs them (participant employer).

• **Wages** – A wage increase for the lowest paid home care workers and an opportunity for participant employers to increase wages for all of the home care workers they employ.
  
  - Hourly wage floor moves from $9.00 to $10.75 on July 1, 2015 and then from $10.75 to $11.00 on July 1, 2016.
  
  - Participant Employers may choose to pay workers wage rates above the wage floor.

• **Training and orientation** – A committee of DHS staff and home care union leaders (including home care program participants) will be formed to shape training and orientation opportunities to be offered to home care workers, to improve the quality of care provided to homecare program participants.
  
  - Training and orientation programs will receive $250,000 in funding in the second year of the contract (beginning July 1, 2016).

• **Participant rights** – The rights of all home care participant employers to direct their own services remain entirely unaffected by this contract between the workers and the state, regardless of who employs the home care worker.
  
  - Participant employers have the right to:
    - Select, hire, direct, train, supervise and terminate their home care workers.
    - Manage their services and individual budgets in budget-model programs such as CDCS and CSG.
    - Determine the wages of their home care workers, in consultation with their PCA Choice agency or FSE as long as they comply with the minimum wage floor set in the contract.

  - No actions taken by participant employers or their representatives are subject to the grievance and arbitration procedures in the agreement.

Please contact SEIU Healthcare MN with any questions at SEIUHomecare@seiuhcmn.org

www.UnitedHomeCareWorkersMN.org
• **Funding** – The funding to implement the contract will come from about $16 million in new state funds included in the Health and Human Services Omnibus bill that was approved by the legislature and signed by the Governor, plus an additional $16 million in federal funds.
  
  - PCA reimbursement rates and budgets in Consumer Directed Community Supports (CDCS) and Consumer Support Grant (CSG) will increase by 1.53% on July 1, 2015 and by an additional .2% on July 1, 2016 to cover the cost of PTO and wage increases.

• **Timely and Accurate Payment** – The CBA gives workers the right to timely and accurate payment and allows them to file grievances if they have not been paid correctly.

• **Grievance and Arbitration Procedure** – Workers may file a grievance against the State of Minnesota if any part of the CBA is violated by the State or a fiscal intermediary acting on behalf of the State. This includes inaccurate payment or inaccurate tracking and payment of PTO. The four-step grievance process is similar to that in other state employee contracts:
  
  - Step 1: Informal conversations seeking resolution
  - Step 2: Filing of a written grievance by the Union with a written response from the State
  - Step 3: Mediation (optional)
  - Step 4: Arbitration

• **State-Provider Cooperation Committee** – A committee of equal numbers of members from the home care Union and DHS will be established to address workforce issues between contract negotiations.
  
  - Topics addressed by the committee will include: creation of a matching registry for workers and participants; implementation of the Community First Services and Supports (CFSS) program; orientation requirements for new home care workers; and any other topics chosen by the State and the Union.
  
  - Committee will meet at least once per month.

• **Voluntary Union Dues and Worker Lists** – All workers represented by the Union may voluntarily become members. Fiscal intermediaries are required to deduct dues from the paychecks of all workers who chose to be union members and to provide employee lists (including hours worked and wages paid) each pay period.

• **Background Checks** – Workers will not be required to pay for any background check they must complete in order to provide home care services.

• **Management Rights** – The State maintains all of the policy-implementation authorities and rights not explicitly addressed in the CBA.