

October 31, 2013

Subject: Official Notice of Home Care Worker Wage Parity Minimum Rate of Total Compensation

Dear Administrator:

The purpose of this letter is to provide all certified home health agencies (CHHAs), long term home health care programs (LTHHCPs) and managed care organizations (MCOs) in New York City with an official notice of the required minimum rate of total compensation for home care workers required pursuant to Public Health Law § 3614-c(3)(a)(i). That provision of law mandates that for the period March 1, 2014 through February 28, 2015 such total compensation must be no less than the prevailing rate of total compensation mandated by New York City's living wage law.

- For the period of March 1, 2014, and beyond, the minimum rate home care aide total compensation will be \$14.09, consisting of a base wage of at least \$10.00 per hour, additional wages of up to \$1.69 per hour, and supplemental (benefit) wages of up to \$2.40 per hour. Overtime is not included in the above rates, and must be paid as required pursuant to State and Federal law.

Included in this notice is a document that further explains what is included in the rates for the upcoming Home Care Worker Wage Parity compliance period. If you have any questions regarding this information, please email to the following address: HCWorkerParity@health.state.ny.us.

Sincerely,

/JAH/

Jason A. Helgerson
Medicaid Director
Office of Health Insurance Programs

Enclosure

cc: Mark Kissinger
Vallencia Lloyd

Wage Parity 2014 Rates

New York City

For the period of March 1, 2014, and beyond, the minimum rate home care aide total compensation (Total Compensation) will be \$14.09, consisting of a Base Wage of at least \$10.00 per hour, Additional Wages of up to \$1.69 per hour, and Supplemental (benefit) Wages of up to \$2.40 per hour.

Wages	Per hour
Base Wage	\$10.00
Additional Wages	\$ 1.69
Supplemental Wages	\$ 2.40
Total Compensation	\$14.09

Overtime	Per hour
FLSA Exempt (<i>1½ times NY min. wage</i>)	\$12.00
All others (<i>1½ regular rate</i>)	\$15.00 (<i>if regular rate is \$10.00</i>)

Total Compensation may be satisfied entirely through wages, or through a combination of wages, additional wages and supplemental wages, with the following limitations:

The Base Wage is the minimum amount of the Total Compensation that must be paid directly to workers as regular hourly wages for all hours worked.

Additional Wages are the amount of the Total Compensation that employers may satisfy through additional payments directly to workers for hours not worked and for differentials and premiums other than overtime. Examples include paid leave (vacation, holiday, sick and personal days) and differentials or premiums for certain shifts (nights, weekends and holidays) or assignments (sleep-in or live-in work, care for multiple clients during the same shift). Additional Wages do not include overtime compensation required under FLSA or State minimum wage orders or extra compensation creditable toward required overtime compensation for hours worked in excess of normal, regular or maximum daily or weekly hours.

Supplemental Wages are the maximum amount of Total Compensation that employers may satisfy indirectly, for example, by providing health insurance required by federal law.