

Wage Parity 2017 Rates for CDPAS

New York City

For the period of July 1, 2017 through December 30, 2017, the minimum rate for home care aide total compensation (Total Compensation) will be \$15.09 and \$14.59 for large and small employers, respectively, in New York City.

This consists of a cash portion (Base Wage) of at least \$11.00 and \$10.50 per hour for large and small employers, respectively, and a benefit portion (Additional Wages and Supplemental Wages) of up to \$1.69 per hour for Additional Wages and up to \$2.40 per hour for Supplemental Wages.

Wages	Large Employer Per hour	Small Employer Per hour
Base Wage	\$11.00	\$10.50
Additional Wages	\$ 1.69	\$ 1.69
Supplemental Wages	\$ 2.40	\$ 2.40
Total Compensation	\$15.09	\$14.59
Overtime	Per hour	
FLSA (<i>1½ times regular rate</i>) (<i>if regular rate equals Base Wage</i>)	\$16.50	\$15.75

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 in cash wages directly to the home care aide 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 home care aides 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. The Additional Wage portion can also be satisfied by increasing the Base Wage or Supplemental Wages by a corresponding amount.

Supplemental Wages are the amount of Total Compensation that employers may satisfy indirectly, for example, by providing education, pension benefits, or health insurance required by federal law. The Supplemental Wage portion can also be satisfied by increasing the Base Wage by a corresponding amount.

Overtime is required at 1½ times the regular rate of compensation under the Fair Labor

Standards Act (FLSA) as well as under the New York State Labor Law's provisions for minimum wage and for domestic workers. The exceptions to this general rule that applied to most employers of home care aides and to certain non-profits prior to 2015 no longer apply to third party employers, such as home care agencies, as a result of FLSA overtime Home Care Final Rule issued on October 1, 2013, amending 29 C.F.R. § 552 at 3, 6, 102, 109 and 110. For more information visit www.dol.gov/whd/homecare.