

Legal Department
C/O DLSE
320 W. 4th St., Room 450
Los Angeles, CA 90013

September 28, 2014

To Whom It May Concern:

My name is Consuelo P. Neri, I am a provider of San Gabriel Pomona Regional Center and a licensee of Sweet Hollander Home. I would like to get clarification in regards to the "Domestic Worker Bill of Rights". According to our consultant, as a group home, a residential care facility, caring for adults with disabilities falls under the this law:

"AB 241 adds section 1450 to the Labor Code and requires that individuals in household occupations (such as nannies, housekeepers, and individuals providing care for the elderly or disabled within a household) be paid overtime compensation at a rate of 1.5 times their regular rate for hours worked in excess of 9 hours per day or 45 hours per week. This new law excludes "casual babysitters" whose work is irregular and intermittent, babysitters under the age of 18, and residential care facility employees."

My home is currently licensed by Community Care Department of Licensing to run a home for Adult Residential Care Facility (ARF), six bed home.

My caregivers are currently working under 34 hours per week. They are asking if they can work 12 hours and no more over than 12 hours once a week, but falls under 34 hours of work per week, for personal reason. How can I meet their needs and still in compliance with the Labor Law Act regarding overtime paid.

As a provider of San Gabriel Regional Center, a group home residential care facility, I have been informed that my home does not fall in this category (Domestic Worker Bills of Rights). I am an abiding citizen and will do what is in accordance with the Labor Law Act.

I have been instructed By San Gabriel Pomona Regional Center to write a general policy for overtime. I would like to ask for guidance from your department in order to write this policy in abidance to the Labor Law Act.

Thank you for your kind understanding and looking forward in hearing from you.

Sincerely,



Consuelo P. Neri, Licensee, Administrator
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