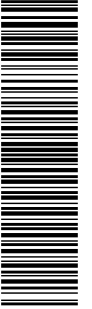


An act to add Section 4689.9 to the Welfare and Institutions Code, relating to employment.

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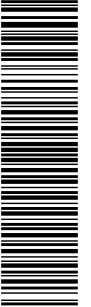
261144427999BILL

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 4689.9 is added to the Welfare and Institutions Code, to read:

4689.9. (a) It is the intent of the Legislature in enacting this section to establish that hourly workers providing supported living services to individuals served by regional centers have a right to overtime compensation for all hours worked over 40 hours per workweek.

(b) Notwithstanding any other state or federal law or regulation concerning overtime pay, including but not limited to, federal regulations implementing the federal Fair Labor Standards Act of 1938 (29 U.S.C. Sec. 201 et seq.), hourly workers who provide supported living services, as defined in Section 54302(a)(71) of Title 17 of the California Code of Regulations, to individuals served by regional centers, as defined in Section 54302(a)(54) of Title 17 of the California Code of Regulations, and who are employed by a vendor, as defined in Section 54302(a)(74) of Title 17 of the California Code of Regulations, shall be compensated for overtime at the rate of one and one-half times the employee's regular rate of pay for all hours worked over 40 hours per workweek. Unless a vendor specifies otherwise, a workweek is defined as beginning at 12:00 a.m. on Sunday and terminating at 11:59 p.m. the following Saturday.



LEGISLATIVE COUNSEL'S DIGEST

Bill No.
as introduced, _____.
General Subject: Hours and wages: overtime: supported living services employees.

Existing law, the Lanterman Developmental Disabilities Services Act, requires the State Department of Developmental Services to contract with regional centers for the provision of community services and supports, including supported living services, for persons with developmental disabilities and their families. Existing law authorizes regional centers to contract with agencies or individuals, also known as vendors, to assist consumers in securing their own homes and to provide consumers with the supports needed to live in their own homes, and lists the range of supported living services and supports to include, among other things, assistance in finding, modifying and maintaining a home and recruiting, training, and hiring individuals to provide personal care and other assistance.

This bill would, notwithstanding any other law, require that hourly workers employed by a regional center vendor providing supported living services, as those terms are defined, be compensated for hours worked in excess of 40 hours per workweek at a rate of 1 ½ times the employee's regular rate of pay.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

