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Resolution: CMS Assault on Homecare Workers, 2018, is Act One of a New Round of Attack on all Health Care and Public Sector Workers

Whereas, the CMS (the Centers for Medicare & Medicaid Services, Department of Health and Human Services), in the aftermath of the SCOTUS *Janus* decision, June 2018, and the SCOTUS *Harris vs. Quinn* decision against homecare workers four years ago, is considering a rule change that would forbid home healthcare workers – including those represented by SEIU Local 2015 – to have their union dues and fees, including for health plans, deducted from their paychecks; and

Whereas, the proposed rule change could disrupt the funding flow to health plans such as San Francisco Healthy Worker, which provides healthcare for SF IHSS workers, and imperil benefit and other deduction programs; and

Whereas, the proposed CMS rule change also encourages the states to cut workers' pay by the amount of union dues and other deductions, stating "states may elect to decrease payment levels... and might choose to revise their rates in response to this regulatory change"; and

Whereas, the proposed CMS rule change is unsupported by sufficient data; targets union dues as the only example of payment to be affected; and cites no concern about the consumers, providers, or use of Medicaid Home and Community Based Services funds; and

Whereas, the proposed CMS rule change is a harbinger for restrictions applicable to all healthcare and public sector workers; and

Whereas, the CMS has cut the long-established 60-day comment period in half to 30 days, many, including this Council, will not be able to respond in the comment period which ends August 13, 2018; and

Whereas, the San Francisco Labor movement should have its views heard by the CMS,

Therefore be it Resolved that the San Francisco Labor Council denounces the proposed Centers for Medicare and Medicaid Services rule change (CMS-2413-P), and urges its affiliates, Labor Councils, the California Labor Federation and the AFL-CIO to oppose the CMS proposal; and

Be it Finally Resolved that the San Francisco Labor Council will work with the resistance to the extension of these rule changes to all healthcare and public sector workers.



Submitted by Bradley Wiedmaier, SEIU Local 2015; Alice Lindstrom; APWU; Roger Scott, AFT Local 2121; and Keith Riley, SEIU Local 2015, and adopted by the San Francisco Labor Council on August 13, 2018.

Respectfully,

A handwritten signature in black ink, appearing to be 'Rudy Gonzalez', written in a cursive style.

Rudy Gonzalez
Executive Director

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