



November 2, 2019

Employer Rights & Responsibilities

You are your PCA's employer. Your PCA is not employed by the state, your fiscal intermediary (Allied or Sunset Shores), or the union.

Employer's Rights	Employer Responsibilities
<p>As your PCA's employer, you have the right to:</p> <ol style="list-style-type: none"> 1. Hire the PCA of your choice 2. Supervise, direct, and manage your PCA 3. Determine your PCA's work schedule 4. Terminate your PCA 5. Determine who may and may not enter your home or place of residence 6. Determine your PCA's pay within the limits set by DSS or DDS 7. Maintain levels of service 8. Self-determination and self-direction 	<p>Pay your employees on time for all hours worked</p> <ol style="list-style-type: none"> 1. Complete timesheets accurately 2. Send your timesheets in on time 3. Respond promptly if your FI contacts you about an error
	<p>Union Activity - Do not interfere with your PCA's choice to join the union.</p>
<p>Union Grievances - Your PCA may file a grievance against the PCA Workforce Council, but not against you personally.</p>	<p>Discrimination - As an employer, you may not discriminate against your employee. There are many classes of people protected from discrimination, but the most common are: race, gender, age, national origin, sexual orientation, and gender identity.</p>
<p>Confidentiality - As a Medicaid client, you also have the right to confidentiality. Your personal information and status as a Medicaid client is protected by state and federal law. Your information is not shared with the union and is only shared with state employees who need the information to administer the Medicaid program.</p>	<p>Hostile Work Environment – Since your home is also your PCA's workplace, your PCA should not be subjected to lewd or sexually suggestive language or content. Unwanted physical touching, particularly of a sexual nature, is illegal.</p>
<p>Union Business – Union business by a PCA cannot be conducted during paid work hours. This includes attending meetings and all forms of telecommunications.</p>	<p>Abuse-Neglect - If an employer or employer/representative suspects that a PCA is abusing and/or neglecting the person he/she is assisting, it should be reported to Disability Rights Connecticut 860-297-4300 (for individuals with Intellectual/physical disabilities) and the supporting state agency (DSS or DDS). Criminal activities should be reported to law enforcement.</p>



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Resources for you as an employer of a unionized employee

Your Fiscal Intermediary is there to help you with your responsibilities as an employer.

If you are a DSS client, your fiscal intermediary is Allied Community Resources. If you are a DDS client, your fiscal intermediary is either Sunset Shores of Milford or Allied Community Resources.

Your fiscal intermediary is your agent, hired by the state to assist you with your responsibilities as an employer and your financial responsibilities in managing your budget. An FI is not able to make decisions about the amount or type of services you receive. The FI helps you to manage the supports that have already been identified in your plan and budget.

Your FI will help you to manage the paperwork responsibilities that come with being an employer. The FI will assist you to complete forms, pay your staff, ensure tax compliance and prepare end-of-year reports. However, you are the employer and the responsibility to pay your staff for all hours worked and even to ensure taxes are withheld are your responsibility.

The PCA Workforce Council is your representative with respect to the union that represents PCAs.

All PCAs are covered by the contract negotiated between the PCA Workforce Council and the union that represents PCAs, the Service Employees International Union (SEIU), Local 1199, New England. All of the benefits and requirements in that contract apply to all PCAs equally. For example, pay rates contained in the contract apply to all PCAs. Also, the new PCA Orientation program requirement applies to all new PCAs hired on or after January 1, 2015.

Your PCA may choose to have union dues deducted from their paycheck. This is your PCA's choice and you should not interfere with it. You should not ask your PCA whether or not he or she has decided to join the union.

If you have questions, concerns, or complaints about the union contract or union activity, those should be directed to the PCA Workforce Council.