



Consumer Directed Personal Assistance Association of New York State

Update on scheduled wage increase

Last year, the Legislature passed a \$3/hour pay increase for CDPA PAs and home care workers to be phased in over two years. The first phase of that increase took effect on 10/1/2022 and was \$2.00. This brought the minimum wage for home care workers from \$15/hour to \$17/hour in New York City, Long Island, and Westchester. In the rest of the state, the minimum wage for home care workers climbed from \$13.20/hour to \$15.20/hour. Because the wage was tied to the overall minimum wage, when the “rest of state” saw a minimum wage increase from \$13.20/hour to \$14.20/hour on January 1, 2023, the home care wage increased again, this time from \$15.20/hour to \$16.20/hour.

The second phase of the increase was scheduled to take effect on October 1, 2023. This was meant to be the remaining \$1/hour. However, the law was changed this past year during the budget, eliminating the \$1/hour increase on October 1, 2023, and replacing it with an increase of \$1.55/hour increase downstate, and a \$1.35 increase for the rest of the state, scheduled for January 1, 2024. On January 1, 2024, the minimum wage for PAs and other home care workers will become \$18.55/hour in New York City, Nassau, Suffolk, and Westchester counties. Throughout the rest of the state, the minimum wage for home care workers will become \$17.55/hour. This will bring PAs and home care workers to \$2.55 above the minimum wage in all regions of the state state.

Just because the minimum wage for home care workers increased does not mean all PAs will receive a raise. If a PA in New York City was already making over \$18.55/hour, that PA may not see a raise as they are already at or above this minimum wage. Likewise, a PA in an Upstate county earning over \$17.55 today would not necessarily receive a raise, as that PA is already earning over what would be the minimum wage. If a PA is earning somewhere between the home care minimum wage today (\$17/hour or \$16.20/hour) and the new home care minimum wage (\$18.55/hour and \$17.55/hour), they will have to receive an increase that brings them to the new minimum wage. Of course, nothing (except managed care and Medicaid payments to the agency) prevents a fiscal intermediary (FI) from paying over the minimum wage.

While the new law delays wage increases, it does continue to keep the home care minimum wage tied to the minimum wage overall. Because the Legislature and Governor Hochul also passed a new law increasing the minimum wage itself annually, PAs and other home care workers can expect increases each year moving into the future. In New York City, Nassau, Suffolk, and Westchester, the minimum wage for home care workers will be \$18.55/hour on January 1, 2024, \$19.10/hour on January 1, 2025, and \$19.65/hour on January 1, 2026. In the

rest of the state, the minimum wage for PAs and other home care workers will be \$16.20 on January 1, 2024, \$17.55 on January 1, 2025, and \$18.65 on January 1, 2026.

The table below shows what PAs and home care workers will earn through the year 2026 compared with workers who earn the New York State minimum wage:

REGIONAL HOURLY MINIMUM WAGE

YEAR	UPSTATE MINIMUM WAGE	UPSTATE PA WAGE - PREVIOUS LAW	UPSTATE PA WAGE - NEW LAW	DOWNSTATE MINIMUM WAGE	DOWNSTATE PA WAGE - PREVIOUS LAW	DOWNSTATE PA WAGE - NEW LAW
2023	\$14.20	\$16.20*	\$16.20	\$15.00	\$17.00**	\$17.00
2024	\$15.00	\$18.00	\$17.55	\$16.00	\$19.00	\$18.55
2025	\$16.50	\$19.50	\$18.10	\$16.50	\$19.50	\$19.10
2026	\$17.00	\$20.00	\$18.65	\$17.00	\$20.00	\$19.65

*\$17.20 ON OCTOBER 1, 2023

**\$18.00 ON OCTOBER 1, 2023

For those in New York City, Nassau, Suffolk, and Westchester

You may know that PAs and other home care workers in your area must receive added compensation in wages and/or benefits. This requirement is often called wage parity.

Historically, the extra compensation had to equal \$4.09/hour in New York City and \$3.22/hour in Nassau, Suffolk, and Westchester. A FI or home care agency could choose to pay that amount in wages, benefits, or a combination of both. This meant that some PAs in New York City received \$17/hour with a number of benefits, while others received \$21.00/hour with a few legally required benefits.

This year, Governor Hochul and the Legislature lowered the additional amount home care workers must receive under this law by \$1.55, the exact amount of the wage increase that was passed. That means that the PAs and home care workers in these counties (NYC, Westchester, Nassau, Suffolk) who had been receiving this added compensation in whole or in part in wages may not see a wage increase. If a PA earns \$18.55/hour or more in wages there will not be a requirement for a wage increase. PAs who received less than \$18.55 previously will see a wage increase but may see a decrease in their benefits.

FAQ

Q. Will I be getting a \$1/hour raise on October 1, 2023?

A. No, the budget that was passed in April 2023 changed the minimum wage law changes that they had made the year before. There will no longer be any raise for PAs and home care workers in 2023. The next raise will be \$1.55 on January 1, 2024.

Q. I was told that PAs and home care workers would make \$3/hour above the New York minimum wage. Isn't that the law?

A. That was correct, but the law has changed. The 2023 New York State budget (passed in April 2022 for state spending during the year 2023) changed the minimum wage law so that PAs and home care workers would get a \$3/hour total pay increase by October 1, 2023, and from then on always be \$3/hour above the state minimum wage no matter what that wage increased to. In April 2023, just one year later, the minimum wage law was changed again in the state budget. The \$1/hour raise scheduled for October 1, 2023, was delayed until January 1, 2024. That increase will be \$1.55/hour instead of \$1/hour, but the New York State minimum wage will also increase on January 1. The PA and home care worker wages will only be \$2.55 above the state minimum wage instead of the promised \$3/hour.

Q. I heard Governor Hochul say last year that the \$3/hour pay increase for PAs and home care workers was, "just a start". Does this mean that the state plans to keep raising our pay?

A. The state minimum wage, and PA and home care minimum wage are set through 2026 so we don't believe that increases will happen on their own. CDANY will continue the fight to pass [Fair Pay for Home Care](#) and to restore the wage increases that were cut this year.

Q. I live downstate (New York City, Long Island, or Westchester) and earn a few dollars more than the minimum wage through a supplement called "wage parity". Will I continue to receive this?

A. You will continue to earn the extra money, however, the amount was reduced as part of the budget passed in April by \$1.55/hour. That means that if you live downstate, your pay will stay the same on January 1, 2024, even though everyone in the state gets the \$1.55/hour raise because of this cut.

Q. Will this impact my overtime pay?

A. No, overtime pay is still one and a half times the regular rate of pay for all employees in New York State, no matter what you earn. Any hour worked after 40 hours in one week is paid at an overtime rate. Example: A PA in Albany County earns \$16.20/hour and has worked 43 hours in one week. That PA would be paid \$16.20/hour for 40 of the hours worked and \$24.30/hour for the last three hours.