

San Mateo County
Public Authority for In-Home Supportive Services (IHSS)
Frequently Asked Questions (FAQs) on Overtime and Travel Time Pay

Q: *When will IHSS providers begin to receive overtime and travel time pay?*

A: The payment for overtime and travel time will start February 1, 2016.

Q: *Who is eligible for overtime pay?*

A: If you work over 40 hours in a workweek, you are eligible to receive overtime pay for the hours over 40 in the workweek. Workweek is defined as the period beginning at 12:00 am on Sunday and ending at 11:59 pm the following Saturday. Overtime pay is 1.5 times the regular rate, i.e. \$12.65/hour x 1.5 = \$18.97/hour in San Mateo County.

Q: *What is travel time?*

A: Travel time pay is available if you work for more than one recipient and travel directly from one recipient to another recipient on the same workday. If you live at the same residence where you provide service for a recipient and travel to a second recipient's residence for work on the same day, travel pay is only paid for one-way travel to the destination and not on the return trip. You will be eligible to be paid up to 7 hours of travel time per workweek. Travel time will not count toward a provider's or a recipient's maximum weekly hours.

Q: *What is the maximum number of weekly hours I can work if I only work for one recipient?*

A: If you work for only one recipient, the maximum number of weekly hours will be calculated by dividing the recipient's monthly authorized hours by four (4). However, this calculation is only a guideline. Since most months are slightly longer than four weeks, your recipient will need to adjust his/her authorized monthly hours throughout the month to ensure he/she will have enough hours to cover his/her authorized services until the end of the month.

Q: *How will I know my recipient's weekly authorized hours?*

A: Starting February 1, 2016, the State will mail you a *Provider Notice of Recipient Authorized Hours and Services (SOC 2271)*. If you work for more than 1 recipient, you will receive a notification letter for each recipient. Please refer to this notice as a tool to assist you and your recipient in establishing your weekly work schedule.

Q: *What is the maximum number of weekly hours I can work if I work for more than one recipient?*

A: The maximum number of hours you may claim in total in a workweek for all the recipients you work for is 66 hours.

Q: *What is the maximum number of weekly hours I can work if I share the work for a recipient with other providers?*

A: Recipients must divide their maximum weekly hours among all of their providers so that their maximum weekly hours are not exceeded.

Q: Is there flexibility with the hours worked in a week?

A: On occasion, it may be necessary for your recipient to authorize you to work more than his/her weekly authorized hours. The recipient may make such an authorization without requesting approval from the county social worker as long as: 1) You are NOT going to work more overtime hours than you “normally” would; and 2) You will NOT be working more than 66 hours if you work for multiple recipients. If it is critical that you work more overtime hours than usual to ensure the health and/or safety of the recipient, the recipient will need to contact his/her social worker to get approval.

Q: What forms do I have to return?

A: You must sign and return the *Provider Enrollment Agreement (SOC 846)* no later than April 15, 2016, or else you will be terminated effective May 1, 2016. If you work for more than one recipient and plan on claiming travel time, you will also need to sign and return the *Provider Workweek & Travel Time Agreement (SOC 2255)* which will be mailed to you in February 2016.

Q: What happens if I fail to follow these new rules?

A: Violations and penalties will be enforced starting May 1, 2016 if you violate the overtime or travel time limits. More information on violations will be provided at a later date.

Q: Who should I contact if I still have questions?

A: You are encouraged to attend a training offered by the Public Authority of San Mateo County to learn about these new rules and how to fill out the new forms correctly. The training schedule is available at <http://www.smchealth.org/ihss/publicauthority>.

You may also attend a training provided by the SEIU Local 2015 by contacting the Union or visiting their website at <http://action.seiu2015.org/page/s/timesheetvideotraining>.

Another option would be to drop in at the County office at 225 37th Avenue, Room 132, San Mateo, CA 94403 on any Wednesday between 1 - 4 pm beginning March 9, 2016. You will have an opportunity to ask any specific questions you may have or receive assistance in completing the forms.