



DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

JUDYANN BIGBY, M.D.
Secretary

**Personal Care Attendant Quality
Home Care Workforce Council
One Ashburton Place, Room 1109
Boston, MA 02108**

Tel.: 617-573-1600
Fax: 617-573-1890
www.mass.gov/eohhs

Minutes June 14, 2007 3:00 P.M. to 5:00 P.M. *Manning Conference Room*

COMMITTEE MEMBERS IN ATTENDANCE	Joe Bellil, Liz Casey, Jean McGuire, George Noel, Paul Spooner
COMMITTEE MEMBERS IN ATTENDANCE TELEPHONICALLY	
COMMITTEE CHAIR	Assistant Secretary Jean McGuire
NOTE TAKER	Rachel Richards
AGENDA SETTING	No issues were added to previously-issued agenda

Approval of Meeting Minutes

George Noel made a motion to approve the minutes of the May 31, 2007 meeting as written. The motion was seconded by Paul Spooner. Without further discussion, the motion was approved unanimously.

Updates

In response to a question from a Council member regarding the status of the PCA rate review, the Chair provided the following update:

- The General Counsel of the Executive Office of Administration and Finance has determined that a proposal to increase the PCA wage rate cannot now be advanced due to the pending collective bargaining process.
 - Discussion: Mr. Spooner requested clarification on the implications of this decision and of the future role of DHCFP in the rate setting process. Ms. McGuire stated DHCFP will not set the rate for the PCA wage because that rate will now be determined through the collective bargaining process. There will be a budget established for PCA wage increases that will be the framework for the collective bargaining negotiations. Mr. Spooner stated this news will not be well received by PCA consumers.

The Chair also provided the following updates to the Council:

- The internal review of the budget has continued, and the goal is to have the budget filed by June 18th or soon thereafter. The budget proposed continues to be in excess of the amount originally proposed by the Council to accommodate costs associated with

additional resources to support the Council, and the Council's share of the cost of the administration of the election.

- A new special projects staff person will be partially dedicated to supporting the work of the PCA Workforce Council. His duties will include focusing on the finalization of the communication to PCA consumers from the Council.

Election Process and Draft Election Agreement

Mr. Spooner provided an update on behalf of the Election Subcommittee which met on June 11, 2007 to discuss the Election Agreement between the Workforce Council and SEIU. Each section of the proposed Agreement was then reviewed to address any questions or concerns that the Council members may have.

- Mr. Bellil requested the document contain information regarding making voting information accessible. Mr. Spooner suggested adding the provision that there must be materials available in alternative formats. Language was added to the draft Election Agreement.
- Ms. Richards noted that the Election Subcommittee recommended that the election be conducted via mail. This recommendation was supported by Council members.
- Ms. Casey requested clarification on the timeframes of the mailing of the ballots (between 60 and 120 after the signing of the Election Agreement). Mr. Spooner explained that the Subcommittee was concerned about making sure that there was enough time in the plan to ensure that mailings to consumers could happen first.
- Ms. Malberg (of SEIU) requested the timeframes of the mailing of the ballots be changed to between 45 and 120 days after the signing of the Election Agreement.
 - The Chair suggested that the Council members focused on the information as drafted in the Election Agreement.
 - Mr. Spooner clarified that as is the timeframes dictate the election will occur in mid-October.

The request was not moved.

- Mr. Spooner suggested that the Election Agreement not be signed until after the Workforce Council has a finalized budget.
- Mr. Spooner agreed to represent the Workforce Council if a dispute arises during the election process.
- Mr. Bellil asked for clarification on who will receive communications from the PCA Workforce Council. Ms. Richards stated the mailings would be sent to Consumers and PCAs, and made available to the general public.
- The Chair stated there are also alternatives to disseminate the information; i.e. list serves; providing supplies to PCMs and ILs, etc.
- Ms. Malberg requested that the minutes reflect that SEIU *agreed that language is included in the election process agreement* requiring the Council to provide the list of PCAs to SEIU.
- Ms. Malberg requested that the Election Agreement be amended to read she and Mr. Spooner could appoint a designee to represent the SEIU and Workforce Council (respectively). This change was incorporated into the draft Election Agreement.

The Chair identified that she believed the group was ready for a motion to approve the Election Agreement as amended. The motion was made by George Noel and seconded by Joe Bellil. There was no further discussion and the motion was approved unanimously. The Chair will do a final review of the Agreement with legal counsel, and expects to be able to sign the Agreement at the next Council meeting on June 28, 2007.

Next Steps

The Chair requested that the Council discuss resources that the Council will need to meet the timelines as defined in the Election Agreement.

- Ms. Malberg suggested the Election Subcommittee obtain information from the AAA to view the sample ballots.
- Mr. Noel requested that the Election Subcommittee include the AAA in its next scheduled meeting. The meeting was then scheduled for July 9, 2007 from 1:00-4:00 PM in the Frank Manning Conference Room.
- Prior to the July 9, 2007 Election Subcommittee meeting, Ms. Malberg will:
 - request from AAA and forward to the Election Subcommittee: a sample of ballots and boiler plate language for a draft Election Process Contract;
 - invite a representative from the AAA to attend the Election Subcommittee meeting; and
 - Draft and distribute to the Election Subcommittee a sample notice that could go to PCAs announcing the union.

Ms. Malberg will distribute these materials to the members of the Election Subcommittee and cc all other Council members and Ms. Richards.

Mr. Spooner requested the Workforce Council set up a standard time for a monthly meeting. The Chair concurred, and suggested that this could be determined at the next full Council meeting.