



NEW YORK STATE SENATOR

Sean M. Ryan

Senator Sean Ryan Passes Legislation To Help Solve Caregiver Shortage In New York

SEAN M. RYAN May 12, 2021

| ISSUE: **NYS SENATE DISTRICT 60, NYS SENATOR SEAN RYAN, CAREGIVERS**



SENATOR SEAN RYAN PASSES LEGISLATION TO HELP SOLVE CAREGIVER SHORTAGE IN NEW YORK

Bill Included In Legislative Package Devised To Improve Domestic Worker Protection and Promote Working Women In New York

ALBANY – Today, May 12, 2021, New York State Senator Sean Ryan announced that the State Senate passed his legislation ([S.5734](#)) authorizing a multi-agency study on the issues

impacting caregivers in the state of New York. The Study to Assess and Promote the Continuum of Caregiving will analyze the causes of a declining caregiver workforce and recommend solutions to revive the industry.

Although caregiving remains a necessary social system, the industry has been deeply threatened by COVID-19. Staffing shortages in recent years had already left many New Yorkers without the care they needed, and the increased demand caused by the pandemic has exacerbated the problem. This bill looks ahead to the future of New York caregiving by investigating the causes of the industry's decline in order to propose necessary solutions.

Senator Sean Ryan said, "When we think of caregiving, we usually think of childcare – but families throughout New York also rely on professional caregivers for assistance with aging parents, adults with special needs, and injured veterans.

These families need trained and qualified workers to provide that care. During the pandemic, New York's already worsening shortage of caregiving workers has been exacerbated. The problem is amplified in rural areas, where a smaller workforce and fewer transportation options can add extra challenges. Without a thoughtful plan, the workforce shortage will only get worse – but we can't solve this problem until we fully understand it.

My bill will authorize a multi-agency study to analyze the source of the issue and provide the data we need to identify a solution. The results of the study will be instrumental in compiling a holistic plan to address these workforce shortages. The legislative package we are passing today will ultimately ensure that families in every part of New York have access to the care they need."

The bill was passed as part of a package of legislation advanced by the Senate Majority that was designed to protect the rights and benefits of domestic workers by further prohibiting

discrimination, improving Temporary Disability Insurance Access and raising employee awareness regarding their workplace protections. This package recognizes the broad set of circumstances that may compel a domestic worker to take time off and seeks to lessen the burden imposed by such situations. It simultaneously looks to revamp workplace dynamics by allowing for greater work-from-home flexibility, particularly in light of a health emergency or local crisis. This would allow parents and caretakers to effectively pivot and tend to both their personal and professional obligations without consequence.

These protections empower domestic workers to prioritize their wellbeing without fear of repercussion during a time when health and job security are of the utmost importance. The package further acknowledges that a majority of domestic workers are women of color and aims to address the unique challenges that they face. This legislation will further the Democratic Conference's efforts to improve workplace safety and grant stronger protections to those who are essential in the job force.

The full package of legislation passed by the Senate Majority includes:

- **Study to Assess and Promote the Continuum of Caregiving:** This bill, [S.5734](#), sponsored by Senator Sean M. Ryan, authorizes a multi-agency study on the issues impacting caregivers in the state of New York. Although caregiving remains a necessary social system, the industry has been deeply threatened by COVID-19. This study would analyze the causes of caregiver decline and recommend solutions.
- **Expanding Human Rights Law to Domestic Workers:** This bill, [S.5064](#), sponsored by Senator Jessica Ramos, addresses the lack of comprehensive Human Rights Law protections for domestic workers. The current law only prohibits sexual harassment. This bill would adopt the full breadth of protections to also address age, sex, race, religion, sexual orientation and disability-based discrimination.

- **Improved Access to Temporary Disability Insurance:** This bill, [S.3291A](#), sponsored by Senator Julia Salazar, would amend the Domestic Workers Bill of Rights to grant Temporary Disability Insurance to domestic workers who work 20 hours a week, rather than the previous threshold of 40.
- **Personal Care and Lawful Absence Assurance:** This bill, [S.1958](#), sponsored by Senator Liz Krueger, would protect employees from being punished for lawful work absences. Such absences could include: tending to prenatal care; assisting a sick family member; responding to an emergency, or observing a religious commitment. This provision would allow people to prioritize the health and wellbeing of themselves and loved ones without risking their income. It would also seek to improve public awareness of workers' rights.
- **The Caregiver Protection Act:** This bill, [S.5063](#), sponsored by Senator Robert Jackson, would increase caregiver protections by prohibiting employers from discriminating against people based on their caregiver status. Recognizing that 75% of caregivers are women, this provision would grant better job security to those who are frequently displaced from the workforce.
- **Provision to Protect Working Families:** This bill, [S.5065](#), sponsored by Senator Roxanne Persaud, allows for greater work from home flexibility during a health crisis or local disaster that results in the closure of schools and childcare centers. This would prohibit employers from penalizing those who request greater leeway to work from home and creates benchmarks to ensure productivity and trust.

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2021-S5734

- Introduced
- - In Committee Assembly
 - In Committee Senate
- - On Floor Calendar Assembly
 - On Floor Calendar Senate
- - Passed Assembly
 - Passed Senate
- Vetoed By Governor
- Signed By Governor
-

Requires a study of the issues impacting the continuum of caregiving in the state

March 17, 2021

Vetoed

Sponsored by **Sean M. Ryan**

Do you support this bill?