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[DATE (deadline is September 2, 2025)]

Daniel Navarrete

Division of Regulations, Legislation, and Interpretation

Wage and Hour Division

U.S. Department of Labor

Room S-3502

200 Constitution Avenue NW

Washington, D.C. 20210

Comments on RIN 1235-AA51: Application of the Fair Labor Standards Act to Domestic Service.

Dear Mr. Navarrete:

[NAME/ORGANIZATION] submit[s] these comments to oppose the proposed rule, Application of the Fair Labor Standards Act to Domestic Service, by the Department of Labor (“Department” or “DOL”). [I/we] oppose the adverse impacts by the Department’s regulatory action of this key workforce, and instead support the DOL’s proposed alternative to preserve the existing regulations that provide for a $7.25 minimum hourly wage and overtime protections for the millions of workers that provide care and services in the home. Removing these fair labor protections will exacerbate an already precarious situation of high turnover and insufficient wages.

[Please describe yourself or your organization: Describe your job title and day-to-day duties in as much detail as possible. Who are you or your constituents, members, or clients; where do they live or where they work geographically; why you care about this rule; which workers/recipients of care are you particularly worried about; etc.]

The proposed rule will have disastrous effects on [home care cooperative workers] // [care recipients AND/OR family caregivers] // [the industry as a whole] and the care infrastructure. The home care industry already faces a workforce crisis, with annual caregiver turnover rates between 65–80% in recent years. Worker-owned home care cooperatives have shown there is a better way—by paying fair wages and providing ongoing training, support, and respect, they keep annual turnover around 30%.

Cooperatives exist across every sector of the economy in the United States, with over 65,000 businesses across the county. As democratically owned and governed businesses, the member-owners of cooperatives prioritize business decisions that serve the members and their communities. Home care cooperatives are an effective solution to addressing the care crisis while providing high-quality, better paying jobs and quality of care. The proposed rule would undercut these high-road employers and accelerate a race to the bottom, harming both workers and the people they care for.

[FOR WORKERS: Provide stories that show the importance of minimum wage and/or overtime to you. E.g. As an co-owner of a worker-owned home care cooperative, I understand the day-to-day experience of home care workers as well as what it takes to run a home care business. This rule change will cause deep harm not only to workers, but also the clients that we serve.]

[FOR CARE AND SERVICE RECIPIENTS AND/OR FAMILY CAREGIVERS: Provide stories that show the importance of minimum wage and/or overtime to you. E.g. As a cooperator, I understand the importance of centering the needs of workers within the workplace - it is vital to preserve the already insufficient supports for domestic workers who are continually locked out of resources to meet their basic needs.]

[FOR NATIONAL ORGANIZATIONS: Please forefront any stories from members, affiliates, or clients that address the above questions. If you would like, you may also include facts about the need for the existing DOL rule for the homecare industry – see included Additional Resources for data points to incorporate.]

Federal minimum wage and overtime protections for home care workers are vital to addressing substandard working conditions which result in dire impacts for workers and persistent vacancies. The proposed rule would further exacerbate existing challenges within the home care sector and prevent the industry from meeting the growing need for quality home care for aging adults and people with a disability. The home care industry has already adjusted to providing these basic protections for over 13 years and home care cooperatives have experienced rapid growth during this time. Removing essential pay rights now will only worsen the shortage of home care workers, harm the quality of care and services, and revert the industry to the unsustainable position that prompted the 2013 DOL rule.

For these reasons, [I/we] strongly urge the Department and Administration to preserve the status quo under current regulations that have been in effect for 13 years.

Sincerely,

[NAME]

[ORGANIZATION, if applicable]