

May 6, 2021

Governor Kay Ivey
Alabama State Capitol
600 Dexter Avenue
Suite N-200
Montgomery, AL 36104

Dear Governor Ivey:

In the year since COVID-19 struck our state, our organizations have grappled with the destructive impact the pandemic has had on nursing home residents, on people with disabilities in congregate settings and home- and community-based programs, and on the direct care workforce that provides vital assistance to these populations. We applaud your administration's leadership, and that of other state leaders, in responding to the urgent needs of these and other Alabamians during these extraordinary times.

We come together now to request that your administration use funding from Section 9817 of the American Rescue Plan Act of 2021,¹ signed into law on March 11, 2021, to provide much-needed and well-deserved hazard or hero pay for direct service workers who have cared for vulnerable seniors and people with disabilities in their homes and in small residential settings during the COVID-19 pandemic. For some of our organizations, this is one of several priorities we will bring to the state's attention; but, significantly, all of us strongly believe that providing hazard or hero pay for workers who care for people with disabilities and seniors should be one of the state's highest priorities in the weeks to come.

The home care workers for whom we are advocating are overwhelmingly women and predominantly women of color. They are essential workers who labor, largely without recognition, in the shadows of this pandemic. Despite the many challenges they face, including low wages, a shortage of personal protective equipment, and a lack of paid sick leave, they work heroically to safeguard the health and lives of our most vulnerable neighbors. In many cases, they have helped -- at great risk to themselves and their family members -- seniors and people with disabilities to remain in their homes during the pandemic instead of burdening our overtaxed health care institutions.

There are roughly 27,000 workers² who fit within this category and provide care to individuals with physical, developmental, intellectual, mental disabilities and older adults in the community. They are poorly compensated and typically live in low-income households.³

¹ Public Law 117-2, available at <https://www.congress.gov/117/bills/hr1319/BILLS-117hr1319enr.pdf>.

² PHI, *Workforce Data Center*, <http://phinational.org/policy-research/workforce-data-center/#tab=State+Data&states> (last visited Nov. 30, 2020); Lieutenant Governor's Comm'n on 21st Century Workforce, *Alabama Workforce Development: Accelerating the Transformation to Excellence* 139-40 (Feb. 11, 2020), <https://ltgov.alabama.gov/wp-content/uploads/2020/02/Alabama-Workforce-Development-Report-Lt.-Governors-Office-digital.pdf> (reporting that in 2019 there were 15,721 personal care aides and 5,206 home health care aides employed in Alabama). According to the Alabama Service Providers Association and the Alabama Council for Behavioral Healthcare, at least 3,500 individuals were employed as home care workers to support individuals with intellectual and/or developmental disabilities and 1,613 home care workers supporting individuals with mental illness.

³ Stephen Campbell, PHI, *U.S. Home Care Workers: Key Facts (2017)* n.3 (Sept. 6, 2017), <http://phinational.org/resource/u-s-home-care-workers-key-facts/> (in Alabama, direct care workers typically make between \$9.25/hour and \$11.59/hour).

Several states, such as Virginia, North Carolina, and New Hampshire, have implemented a hazard or hero pay program for direct care workers and could serve as models and/or provide useful information. Other states provide hazard or hero pay to healthcare workers more broadly.⁴

Alabama could choose to provide a flat rate based on numbers of hours worked (e.g., \$1,500 for full-time workers, less for part-time workers) or a formula that provides workers with one dollar per hour worked over a defined period of time (e.g., for full-time work between March 1–December 31, 2020, the formula would provide a little more than \$1,500 per worker).

The benefits of hero or hazard payments to workers should not be underestimated. Low wages and financial instability contribute to high turnover within the direct care workforce, which in turn jeopardizes the health of seniors and people with disabilities who rely on care. Hero or hazard pay could not only help stabilize workers' economic security but also contribute to the state's economic recovery, as those funds would likely flow directly back into local communities. Finally, by providing hero or hazard pay for this critical portion of the workforce, this administration would acknowledge that these essential workers, who could not work from home, served heroically during the pandemic. Many put their own lives and safety at risk to ensure that our loved ones were cared for, safe, and secure. They deserve hero or hazard pay along with our thanks, recognition, and protection. Thank you for your consideration of this and a previous request.⁵ We look forward to working with you on this critical issue.

Sincerely,

Candace C. Williams, Alabama State Director, AARP

JaTaune Bosby, Executive Director, ACLU of Alabama

Robyn Hyden, Executive Director, Alabama Arise

Holly McCorkle, Executive Director, Alabama Council for Behavioral Healthcare

Benard Simelton, President, Alabama State Conference of the NAACP

James A. Tucker, Director, Alabama Disabilities Advocacy Program

Don Schofield, President, Behavioral Healthcare Alliance of Alabama

Alean Nash, President, Birmingham Black Nurses Association

Bill Fuller, Executive Director, Disability Leadership Coalition of Alabama

Dan Kessler, Executive Director, Disability Rights and Resources

⁴ Such states include Louisiana, Massachusetts, Pennsylvania, and Vermont. See La. Dep't of Revenue, *Frontline Workers COVID-19 Hazard Pay Rebate Program, Frequently Asked Questions 2* (July 16, 2020), <http://revenue.louisiana.gov/Miscellaneous/Frontline%20Workers%20COVID-19%20Hazard%20Pay%20Rebate%20FAQs%2007.16.2020.pdf>; Matt Murphy, *Hazard Pay Coming To Many Mass. Health Care Workers*, WBUR (Apr. 13, 2020), <https://www.wbur.org/commonhealth/2020/04/13/massachusetts-licensed-nurses-health-care-front-line-hazard-pay>; Pa. Dep't of Cmty. & Econ. Dev., *COVID-19 PA Hazard Pay Grant Program Guidelines 2* (July 16, 2020), <https://dced.pa.gov/programs/covid-19-pa-hazard-pay-grant/>; Vt. Agency of Hum. Servs. & Dep't of Fin. Regul., *Front-Line Employees Hazard Pay Grant Program, Program Guidelines 3–4* (Oct. 22, 2020), <https://dvha.vermont.gov/sites/dvha/files/documents/News/Hazard%20Pay%20Grant%20Program%20Guidance%20v1.pdf>.

⁵ Letter from ACLU, ADAP, Disability Rights and Resources, Alabama Arise to Governor Ivey (December 1, 2020) at https://www.aclualabama.org/sites/default/files/alabama_covid_disability_hazard_pay_letter_12-1-20_final_formatted.pdf

Kelly Emerson, Executive Director, NAMI Alabama

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