

News

Ford Quoted in *Akron Legal News* Story Titled “Battle Over New Overtime Pay Regulations for Direct Care Workers Continues”

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NEWS | 4.27.2015

Jackie Ford, a partner in the firm’s labor and employment group, was quoted in an *Akron Legal News* story titled “Battle Over New Overtime Pay Regulations for Direct Care Workers Continues.” The story was about the Department of Labor’s (DOL) new overtime regulations for direct care workers. According to the story, the rules were set to go into place this year as part of an effort to update rules concerning the Fair Labor Standards Act until a federal judge in the U.S. District Court for the District of Columbia issued two decisions that could keep the rule changes from ever going into effect.

The story states:

“Jackie Ford, a labor and employment partner who works out of the Columbus and Houston offices of Vorys, Sater, Seymour and Pease explained the DOL also stated that ‘in order to fall within the exemption the employee could only provide care other than fellowship or protective services 20 percent of the time.’

For example, she said if the employee administers ‘care’ such as dressing, grooming, feeding, toileting, meal preparation, driving, light housework and assistance with taking medications for more than 20 percent of the workweek the exemption would be lost for that week.”

The story also indicates:

“Most of the cost associated with these types of services is not borne by the individuals, but by government programs like Medicaid so there was a lot of concern about further tapping into this financially-strapped program,” said Ford.

‘Agencies could have gotten around the overtime issue by hiring additional workers but that may have been disruptive to the relationships that are developed in home health situations.’

Ford said the question before direct care employers right now is how to proceed.

'Given that the case is being appealed agencies will have to decide whether to follow the old rules that are currently in effect or whether to begin to put procedures in place to accommodate potential changes,' she said.'

To read the entire story, visit the *Akron Legal News* [website](#).