

Fair Wages for Home Care Workers Act

Representative Alexandria Ocasio-Cortez (D-NY) and Senator Patty Murray (D-WA)

Overview: The Fair Wages for Home Care Workers Act addresses a longstanding injustice in our country—home care workers have been unfairly excluded from the Fair Labor Standards Act. This legislation codifies minimum wage and overtime protections for home care workers in federal labor law.

In the U.S., there are more than 3 million home care workers who support almost 10 million people with disabilities and older adults with everyday tasks like eating, dressing, and bathing. Home care workers enable individuals to live independently in their homes and communities where the vast majority of individuals prefer to age. Despite their essential role in our long-term care system, home care workers are often paid low wages and regularly subjected to labor violations.

The Issue: In 1938, the Fair Labor Standards Act (FLSA) created a right to minimum wage and overtime pay for most workers in the U.S., but the FLSA continued to exclude some categories of workers.

In 1974, Congress amended the FLSA to cover home care workers; unfortunately, that amendment included a loophole that was interpreted to allow for the continued exclusion of most home care workers. The U.S. Department of Labor finalized regulations in 2013, interpreting these amendments and expanding labor protections for most home care workers.

In July 2025, the Trump administration took action to roll back the 2013 rule—seeking to strip home care workers’ rights to minimum wage and overtime pay—and revert to a previous interpretation of the 1974 amendments. If the Trump administration’s proposal is finalized, home care workers who reside in states with no additional wage protections—more than one-quarter of all home care workers in the country—will lose their right to minimum wage and overtime protections. If passed, this bill would codify their right to a minimum wage and overtime pay in statute.

The Solution: The Fair Wages for Home Care Workers Act ensures that home care workers have the same basic labor protections that all workers should have—the right to a federal minimum wage and overtime pay.

The legislation is endorsed by more than 85 organizations, including 1199SEIU, ACLU, Adhikaar for Human Rights and Social Justice, American Association of People with Disabilities (AAPD), AFSCME, ANCOR, The ARC of the United States, Care in Action, Caring Across Generations, Consumer Voice for Quality Long-Term Care, Democratic Women’s Caucus, Justice in Aging, LeadingAge, National Council on Independent Living (NCIL), National Domestic Workers Alliance (NDWA), National Employment Law Project (NELP), National Immigration Law Center, National Nurses United, PHI, SEIU, SEIU 775, UNITE HERE!, and United Domestic Workers of America (UDW). See the full list of endorsers [here](#).