

**Department of Adult and Aging Services  
In-Home Supportive Services (IHSS)  
Frequently Asked Questions**

Effective February 1, 2016, under the Fair Labor Standards Act (FLSA), IHSS providers may be eligible to receive overtime compensation when they work over 40 hours in a workweek and also travel time for those providers who work for more than one recipient at different locations on the same day.

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**Q. Where do recipients and/or providers mail or return their forms?**

**A.** Providers must **complete and return** (by mail or in person) all new forms as soon as possible. **Mail forms to: 6955 Foothill Blvd, 3<sup>rd</sup> Floor, Oakland 94605.**

**Q. Who is eligible to get overtime and how does the overtime work?**

**A.** Providers will be paid overtime when they work more than 40 hours in one week. **There are limitations to the number of hours a provider can work in a week.** When you work more than 40 hours in one workweek, your pay will be 1 ½ times your hourly wage for every hour beyond the 40 hours.

**Q. What are the workweek limitations?**

**A.** There are limitations to the number of hours a provider can work in a week. The recipient's **monthly authorized hours** will be divided by 4 to determine the maximum number of weekly hours that the provider can work. The maximum number of **weekly hours** serves as a guide to letting the provider know how many hours you can work in a workweek. It is important that both the provider and recipient know the maximum weekly hours.

- If the provider works for just one recipient and **the recipient has other providers** then the recipient must make a work schedule for each provider to determine how many hours each will work. The recipient divides their total authorized hours among their providers as they see fit.

**Q. What is travel time?**

**A.** If a provider works for more than one recipient at different locations on the same day, and travels directly from one recipient to the next to provide services, he/she will be eligible to be paid for time spent traveling between two recipients, up to seven (7) hours per workweek. **In order to be considered for travel time, Form SOC 2255 must be completed and returned by mail or in person to the county office.**

**Providers**

**Q. What if I work for more than one recipient and I have more than 40 hours in the workweek?**

- A. *The maximum number of hours that a provider may claim in a workweek is a combined total of 66 hours.*

## **Recipients**

**Q. What if I have more than one provider or my provider works with other recipients?**

- A. *The maximum number of hours that the provider may claim in a workweek for all of the time he/she works for his/her recipients combined is 66 hours. You must make a work schedule for your provider to determine how many hours they will be working for you each week. If your provider cannot work all the authorized hours without going over their maximum of 66 combined for all recipients, you will need to hire another provider. The Alameda County Public Authority manages the Provider Registry that can make you a personalized list of available providers. They can be reached at **510.577.1980**.*

**Q. I need to hire another provider. Who do I call?**

- A. *The Alameda County Public Authority manages the Provider Registry that can make you a personalized list of available providers. They can be reached at **510.577.1980**.*

**Q. Sometimes I need my provider to work more hours, what do I need to do?**

- A. *On occasion you may need your provider to work more than your **weekly maximum hours**. Please keep in mind that as a recipient you can never authorize your provider to work more than your total **authorized monthly hours**. When you authorize your provider to work extra hours in one week, you must have the provider work fewer hours in the other week(s) of the month.*

*If your provider needs to work more than the recipient's maximum weekly hours, and will result in additional overtime for the month, you can ask your Social Worker for approval.*

**For additional questions about forms or overtime requirements, recipients or providers may call our pre-recorded information line at: 510.577.FLSA (3572).**

**IHSS will provide training sessions for providers and recipients. See attached training schedule. Space is limited. Seating is first come-first served.**