

# Judge puts hold on day-care providers' union vote [US] <sup>[1]</sup>

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**Source:** NBC News Channel 10

**Format:** Article

**Publication Date:** 19 Apr 2004

## AVAILABILITY

See text below.

## EXCERPTS

A Superior Court judge on Monday granted a request by Gov. Don Carcieri to delay efforts by home day-care providers to unionize and be treated as state employees.

Judge Daniel Procaccini's decision means the estimated 1,300 home day-care providers can't vote on whether to unionize until Carcieri's appeal of a previous decision granting them status as state employees is decided.

Lawyers for the New England Health Care Employees Union District 1199 had argued Carcieri's appeal was premature because the workers have not decided yet whether to unionize. But Procaccini said Carcieri's appeal was appropriate, in part, because of the potential costs to the state in salary and benefits if the workers become state employees.

The judge also said the state has a reasonable chance of winning its appeal.

Carcieri is concerned about the estimated \$8 million to \$10 million cost if the providers become state employees. He also worries the board's decision could open the door to other independent contractors seeking state status.

District 1199 organizer Joe Simoes promised that Carcieri will continue to hear from the providers, who care for an estimated 7,500 children.

Providence day-care provider Grace Diaz, 47, said the judge's ruling will serve to make the workers stronger and more organized. She said the workers want a unified voice to fight for increased pay and benefits and more state spending for day-care services.

The seven-member state Labor Relations Board earlier this month ratified a prior vote designating the providers as state employees and allowing them to unionize.

The labor board decided the day-care operators should be designated as state employees because the state sets the parameters for the child-care operators, including who qualifies, who can be hired, what food can be given and how children can be disciplined.

Procaccini said he's not convinced that the state's regulation of the day-care providers is enough for them to be designated as state workers.

The home day-care providers are mostly women who care for up to six children in their homes, or up to eight with an assistant.

- reprinted from NBC News Channel 10

**Region:** United States <sup>[2]</sup>

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