

December, 2011

Dear Provider:

This letter contains very important updates and information for all child care providers and programs.



**CSEA UNION DUES/FEES - OUTSIDE OF NYC**

***For Family Child Care and Group Family Child Care providers***

As you may know, provisions permitting the unionization of certain child care providers were added to the New York State Labor Law through the enactment of Chapter 540 of the Laws of 2010, which added a new Article 19-c (sections 695-a through 695-g). The legislation allowed home-based child care providers to organize themselves and select representatives for the purpose of discussing with the State the conditions of their employment, the stability of funding and operation of child care programs, and the expansion of quality child care. The Civil Service Employee Association (CSEA), Local 1000, AFSCME, AFL-CIO is currently the designated union for the following home-based day care providers: **family day care, group family day care, legally-exempt in home, and legally-exempt family child care providers** operating in all areas of New York State with the exception of the five boroughs of NYC. The United Federation of Teachers (UFT) currently is the designated union for home-based day care providers located within the five boroughs of NYC.

In addition, Chapter 59 of the Laws of 2010 authorizes the unions representing these home-based child care providers to collect fair share payments (refers to union dues that are required to be paid by home-based child care providers who either join or choose not to join the union). The amount of the fair share payment must not exceed the amount of dues uniformly required of the providers who choose to be members of the union. This means that union dues/fees may now be collected from home-based providers regardless of whether or not the provider chooses to become a member of the union\*. The Chapter Law further provides that, for providers who receive payments directly from local social services districts on behalf of one or more families receiving subsidized child care services, the union payments shall be deducted from the child care subsidy payments that otherwise would go to the provider and transmitted to the union. CSEA has established union dues at 2% of each child care payment and has established an annual maximum limit of \$690 for each provider for Calendar Year 2012. Therefore, beginning with child care payments issued directly to home-based providers by social services districts outside of New York City on or after January 3, 2012, a 2% deduction will be taken from each child care subsidy payment up to the annual maximum amount of \$690.00. The Benefits Issuance and Control System (BICS), the payment system that issues child care subsidy payments to providers, will automatically deduct 2% from each child care payment, beginning January 3, 2012, not to exceed an annual maximum amount of \$690.00.

Included on the payment stub of each check will be information about the amount of the deduction and contact information for CSEA. All calls, inquiries, or communications about union dues/fees from child care providers residing in social service districts outside of NYC should be directed to the Union at the following address: **CSEA Membership Department, 143 Washington Ave, Albany, NY 12210; or by phone at: 877-483-CSEA (2732); or by email at [www.voicecsea.org](http://www.voicecsea.org).**

\*"Any licensed Group Family Day Care provider, registered Family Day Care provider or legally-exempt provider choosing not to become a member of the union will become a fee-payer and may apply for a refund of a portion of dues through the union's procedure to do so. Nothing in this section should be deemed to require a provider to become a member of such representation unit".

The following circumstances/providers are excluded from union dues / fees deductions made by the BICS payment system:

- Day care centers and school age child care programs;
- Out-of-state child care providers;
- Child care providers who reside on tribal territories or reservation land;
- Providers who do not receive child care payments directly from their social services district but, rather, receive the child care payment directly from parents; and
- Child care providers who have met the annual limit of union dues deducted (\$690)



## Early Childhood Obesity

One in five children is overweight or obese by age six. You can help! As a child care provider, you have the powerful opportunity to instill healthy choices that could help prevent childhood obesity from the start. With about 12 million babies and young children in child care nationwide, we can't afford to wait. You have one of the toughest and most important jobs in the world. You might not hear it nearly as often as you should, but **what you do matters!**

***Let's Move! Child Care*** is a nationwide call-to-action that empowers child care center and family-care home providers to make positive health changes in children, early on, that could last a lifetime. Early care and education providers who choose to participate in ***Let's Move! Child Care*** (LMCC) are recognized when they meet a set of best practices related to the five LMCC Goals (increasing physical activity, reducing screen time, better nutrition, eliminating sugar-sweetened drinks and promote breastfeeding). To help providers reach their goals, a number of online interactive tools—including checklist quizzes and action planning guides—have been developed through a public-private partnership between the White House, the Department of Health and Human Services, the National Association for Child Care Resource & Referral Agencies, Nemours foundation, and the University of North Carolina Center for Health Promotion and Disease Prevention and other partners. Visit the ***Let's Move! Child Care*** website ([www.healthykidshealthyfuture.org](http://www.healthykidshealthyfuture.org)) to register as a LMCC Participant, access free online tools, or share your story of progress and success.

## Child Care Field Inspections



The Office of Children and Family Services serves New York's public by promoting the safety, permanency and well-being of our children, families and communities. We achieve these results by setting and enforcing policies, building partnerships, and funding and providing quality services. In order to promote safety and well-being of children in child care, our licensors and registrars must be available to providers for technical assistance and must inspect programs to evaluate compliance with regulations. Research shows that unannounced inspections of child care programs encourages compliance with regulatory standards and improves quality. The recent change in licensing and registration from two years to four years for subsequent renewal periods was an opportunity for the Division of Child Care Services to evaluate the timing of inspections and their purpose. As a result, we expect to have licensors and registrars in the field more often.

What this means to you is that you may be visited by your licensor or registrar more frequently. I hope you take this opportunity to ask the questions you may have and share your child care experiences with your licensor and registrar.



**Division of Child Care Services Website Information**  
<http://www.ocfs.state.ny.us/main/childcare/default.asp>

The Division of Child Care Services strives to keep child care providers informed. However, the ability to mail hard-copy information more frequently to all 19,000 providers and get it to you all quickly is impossible. Because of this, we have made every effort to update our website with important information such as: training announcements, consumer product recalls, regulations, policies, handbooks, subsidy market rate changes, disaster recovery information, new crib standards, links to websites that will assist your businesses and much, much more. We recommend that you stay current by visiting the Division of Child Care Services website routinely. Save it as a favorite! Contact us and tell us what you think. The website is for you, because what you know and what you do is important to the children and families in your care every day!



**Safe Sleeping- AAP  
Expanding its guidelines**

Since the American Academy of Pediatrics (AAP) recommended all babies should be placed on their backs to sleep in 1992, deaths from Sudden Infant Death Syndrome have declined dramatically. But sleep-related deaths from other causes, including suffocation, entrapment and asphyxia, have increased. In an updated policy statement and technical report, the AAP is expanding its guidelines on safe sleep for babies, with additional information for parents on creating a safe environment for their babies to sleep.

In addition, the AAP is providing recommendations on a safe sleeping environment that can reduce the risk of all sleep-related infant deaths, including SIDS. Three important additions to the recommendations include:

- Breastfeeding is recommended and is associated with a reduced risk of SIDS.
- Infants should be immunized. Evidence suggests that immunization reduces the risk of SIDS by 50 percent.
- Bumper pads should not be used in cribs. There is no evidence that bumper pads prevent injuries, and there is a potential risk of suffocation, strangulation or entrapment.

What can providers do to help promote these new guidelines? Check your records and make sure children in your program are up-to-date with immunizations; take the bumper pads out of cribs; and support women who return to work and continue to breastfeed their babies. To learn more go to:

<http://www.aap.org/pressroom/sids.pdf>.



**CPR and First Aid  
It's the Law!**

On August 13, 2010 a law was passed that requires all child care providers to have at least one employee who holds a valid certificate in cardiopulmonary resuscitation (CPR) and first aid on the premise of the child care program during the program's operating hours. This law went into effect on December 11, 2010 and yet the Division's licensors and registrars are discovering that many programs are operating out of compliance with this important law. Providers who are having difficulty finding classes can contact their licensor or registrar for help in finding CPR and first aid classes in their area of the state. Providers found to be out of compliance may be found in violation of law and could face enforcement action.



**NYS Department of Health Yearly Day  
Care Immunization Survey**

***For Day Care Centers and Group Family Day Care providers only***

Vaccinations are one of our most important public health interventions and they have helped children stay healthy for more than 50 years. You, as a child care provider, can help this cause by keeping child medical records up-to-date, encouraging parents to keep children immunized; and completing the required immunization survey that will soon be mailed to you.

The NYS Department of Health will be mailing you the yearly survey on immunizations. NYS Department of Health Law, section 2164(11) of the Public Health law, requires that day care centers and group family day care homes licensed by the Office of Children and Family Services (OCFS) respond to this survey. You will receive this survey by the end of January 2012. ***It must be completed and returned by March 5, 2012. Failure to complete and submit the survey form is a violation of Public Health Law, which may result in the imposition of a civil penalty.*** So don't delay. The Department of Health staff are available to help you with the form. Contact information will accompany the survey. Your OCFS licensor/registrar is also a resource. This information helps to monitor immunization rates among the children of New York State. We thank you for your attention to this important matter.

The busy holiday season is fast approaching and all of us at the Division of Child Care Services wish you the best for a safe and joyous holiday.



Sincerely,

Janice M. Molnar, Ph.D.  
Deputy Commissioner  
Division of Child Care Services