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**Connecticut Employer Lawyers Association
Connecticut Advocates for Employee Rights**

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Good afternoon Senators Prague and Guglielmo, Representatives Zalaski and Rigby and members of the committee.

My name is Deborah McKenna. I am an attorney at Emmett & Glander in Stamford CT and I practice in the area of plaintiff's side employment law. I am testifying today on behalf of the Connecticut Employment Lawyer's Association (known as CELA) in support of **Raised Bill No. 913, "An Act Mandating Employers Provide Paid Sick Leave to Employees."**

CELA is a voluntary membership organization whose members are attorneys from throughout Connecticut who devote at least 51% or more of their employment related practice to representing employees. As such, CELA attorneys represent individual employees in all types of employment related matters including, but not limited to, discrimination, wrongful termination, and claims involving state and federal FMLA and related leave of absence issues.

Some committee members may wonder if ~~Raise Bill 913~~ is necessary given that we have laws such as the federal and state disability discrimination law, that provide protection against discrimination by employer of employee who suffers from various protected disabilities and laws such as the federal and state Family and Medical Leave Acts (FMLA), which require that some employers provide job protected leave to certain employees. However **Raise Bill 913** would provide important and necessary protections for Connecticut's workers.

Unfortunately for employees who utilize leave under the state or federal FMLA, none of our existing statutes require that the leave be paid, making such leave an unaffordable luxury for many workers. Moreover, in order to even qualify for existing job protections, an employee who seeks protection from disability discrimination must suffer from a disability as defined by statute and an employee who can afford to utilize protected FMLA leave must have a serious medical condition as set out in the law. Typically, a short term illness does not qualify an employee for such protections. For employees with small children, this is particularly problematic. For example, a school-age child is likely to suffer from run of the mill illnesses, such as strep throat over the course of a school year – as many of the parents here today could probably attest to. If you happen to be the parent of a child who does contract strep throat, you are probably aware that most school districts will not allow that child in school until he or she has been on antibiotics for a set period of time. However, this is not an illness that typically rises to the level of being protected under our state or federal FMLA, as a disability or under any of our other existing employment laws.

For working parents, this creates a very real dilemma, particularly if the parents do not have access to back up child care. In a workplace that does not provide for paid sick leave, that worker could then be faced with not only having to lose his or her wages for the time out of work to care for their sick child, but could even be fired for his or her absence. While it may seem implausible that a worker could be fired simply for having to care for his or her sick child, unfortunately it happens all too often. Having spent the past 15 years representing employees with employment issues, I have had the unfortunate experience, on more than one occasion, of explaining to an employee who has lost his or her job under such circumstances, that he or she

has no remedy. There is simply no law that protects an employee's job in the event that he or she needs to miss work because the employee or someone in his or her family is sick or in need of medical care, when the nature of that illness was not so severe as to rise to the level of a serious health condition or disability. It is hard to believe that in 2011, we as a state do not require such basic protections as protecting an employee's job in the event of an employee or employee's family member's routine sickness. If passed, **Raised Bill 913** would provide much needed protection for workers who find themselves in this unfortunate and all too common position.

Additionally, last year CELA proudly supported the expanded employment protections for victims of domestic violence. **Raised Bill 913** takes those protections one step further by permitting paid sick leave to be used for time off for victims of family violence or sexual assault who may need to obtain victim services, relocate or participate in civil or criminal proceedings. As we argued last year – for victims of family violence, employment is often a lifeline. While the leave protections in last year's law are a good start, to permit victims to actually take time of out of work to protect themselves and their families, be it through attending court proceedings, seeking victim services or relocating and not have to choose between their paycheck and their safety will enhance that law and permit more employees to utilize those protections.

We strongly urge you to pass **Raised Bill 913** in its entirety. Thank you for your time and consideration.