



State of Connecticut

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Testimony of Speaker Christopher G. Donovan
In support of Senate Bill 913
AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES
Before the Labor and Public Employees Committee
March 1, 2011

From a public health point of view, staying home from work when you or your children are sick is just common sense. In 2009 when there were widespread concerns about an outbreak of a swine flu pandemic, the State of Connecticut issued a press release stating:

“Governor Rell and State Health officials say everyone should follow standard precautions to reduce the spread of any respiratory illness.

- Stay home when you are sick to avoid spreading illness to others. ...”¹

While the majority of Connecticut employees do in fact have paid sick leave, the common sense option of staying home is difficult, if not impossible, for many working families if they lack access to paid sick time. According to a survey conducted by the National Opinion Research Center at the University of Chicago, those who lack paid sick time are 15% more likely to go to work while suffering from a contagious disease than those who have paid sick leave.²

Yet even though staying home when you are contagious is an effective, if not the most effective, way prevent the spread of illness, the United States is one of the few industrialized countries that does not permit employees reasonable access to time off from work without jeopardizing their jobs. According to the University of Chicago survey, 17% of respondents have reported they or a family member have either been disciplined or threatened with disciplinary action for taking time off for personal or family sickness. And in a report by the Society for Human Resource Management surveying why employees come to work sick, nearly half of the respondents cited fear of discipline if they stayed home.³

Those fears are real. In a paper on pressures workers face dealing with ill family members, University of California Law professor Joan C. Williams writes:

A bus driver was fired when she arrived three minutes late because her severely asthmatic son had an asthma attack. A packer was fired when she left work in response to a call that her daughter was in the emergency room with a head injury. A press operator... who was the primary caregiver for her mother, came to work late because she said she was up until midnight monitoring her mother's blood pressure, which was dangerously out of control. She returned home to find that her one-year-old was having trouble sleeping, and fell asleep while rocking the child in a rocking chair. The next morning she overslept, called in to report she would be late, but was fired when she arrived 20 minutes late... A single mother...was fired for tardiness stemming chiefly from her son's Crohn's disease. Each morning she had to unhook her son from his IV, bandage him, administer medication, get him off to school, take two buses to take her toddler to his babysitter, and then take a third bus to get to work. When she was late, she often worked through her lunch hour to make up the time...but given the lack of suitable child care and other social supports, she ultimately lost her job.⁴

Even though surveys have shown broad public support for paid sick leave, a major stumbling block has been the perceived potential harm to business, particularly small businesses, if a measure like SB 913 was enacted. It is important to note that this measure only covers larger employers- those with fifty or more employees. And, in the first empirical study on effects of the first paid sick leave law passed in San Francisco four years ago, analysts found the fear of negative impacts on businesses to be mostly unfounded. According to a Christian Science Monitor story:

The study of 727 employers and 1,194 employees found that two-thirds of employers support the law. It found that it is rare for employees to misuse paid sick days and that workers tend to save them for emergency use and thus end up using far fewer than the maximum allowed.... "A lot of small business owners were really freaked out when this first went into effect, especially smaller retail stores and restaurants," recalls Sam Mogannam, owner of Bi-Rite Market, who employs 110 workers at two locations. ... "It's made a highly positive impact on staff morale. I think it's a win/win situation for employees and employers," he says... Other findings include: despite the availability of as many as nine sick days under the ordinance, the typical worker used only three paid sick days for the year and a quarter of the workers used zero sick days.⁵

As a former chair of this committee, I know that it is often the place where tough issues are debated, a place where a balance has to be struck between protecting working families without placing onerous burdens on employers. I am confident that this committee and the legislative process can produce a groundbreaking piece of legislation that will meet both those of challenges. I am therefore pleased to add my support to Senate Bill 913.

¹ Governor Rell Formally Requests and Formally Accepts Release of Antiviral Medications by Centers for Disease Control to Connecticut, Press release, April 27, 2009

² Paid Sick Days: A Basic Labor Standard for the 21st Century
Prepared by Dr. Tom W. Smith at the National Opinion Research Center
University of Chicago
August 2008

³ "Beware the Ill Effects of Sick Employees at Work", Stephen Miller, Society for Human Resource Management, January 18 2008

⁴"ONE SICK CHILD AWAY FROM BEING FIRED: When "Opting Out" Is Not an Option", Joan C. Williams, University of California Hastings College of the Law, 2006

⁵ "Mandatory paid sick leave: How has it worked in San Francisco?" Christian Science Monitor February 11, 2011

