

Testimony of Eric W. Gjede  
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Before the Commerce Committee  
Hartford, CT  
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**Testifying in Support of RB 1007 AAC Revisions To The Paid Sick Leave Statutes**

Good Afternoon Senator LeBeau, Representative Perone, and members of the Commerce Committee. My name is Eric Gjede and I am assistant counsel at the Connecticut Business and Industry Association (CBIA) which represents more than 10,000 large and small companies throughout the state of Connecticut.

I want to thank this committee for raising a bill to make some corrections to the paid sick leave law. We support the changes made in RB 1007 -- and ask the committee to make an additional change that is not in the current draft.

Prior to its passage, the proponents of the mandate told businesses that paid sick leave would be inexpensive and easy to administer. They were wrong. The paid sick leave law is so filled with legal ambiguities that the labor department has conducted seminars for over a year on how best to implement the law. The department has also provided informal opinions on how various provisions should be interpreted. Unfortunately, informal agency opinions are not enough to save an employer from costly litigation arising from an unclear law.

The business community asks that you make the minor changes in this bill which will alleviate some of the administrative burdens in the law without denying benefit to a single person. Here's how this bill would help businesses:

1. It provides businesses the flexibility to administer paid sick leave on the same calendar or fiscal year that they administer other employee benefits.
2. Manufacturers were never supposed to be subject to the paid sick leave law. Removing the word "establishment" fixes a legal loophole that could result in manufacturers with more than one facility being subject to the law.
3. Allows businesses to report their number of employees by a method other than their quarterly wage report which has resulted in businesses that never had more than 49 employees at any given moment be subject to the law.
4. It provides employers a tool, using the same standard used for FMLA, to deal with an employee that repeatedly uses paid sick leave for purposes other than those intended by the law. This change does not allow an employer to ask for a doctor's note every time an employee uses the

benefit. Currently, an employer cannot ask for a doctor's note unless an employee uses three consecutive days of paid sick leave in a row.

These simple fixes to paid sick leave will resolve legal ambiguities and help make the law work better for both employees and employers.

Additionally, we believe the bill should also allow employers to administer paid sick leave using the anniversary date of the employee. Many businesses track benefits using the date the employee was hired as the "anniversary date". We hope the committee and the attorneys in the Legislative Commissioners' Office can find a way to affect that change in the language.

I urge the committee to support RB 1007.