

Labor and Public Employees Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5044

Title: AN ACT CONCERNING FAIR TREATMENT OF SICK WORKERS.

Vote Date: 3/20/2018

Vote Action: Joint Favorable

PH Date: 3/8/2018

File No.:

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SPONSORS OF BILL:

Labor and Public Employees Committee

REASONS FOR BILL:

The State's Paid Sick Leave Law requires updating.

RESPONSE FROM ADMINISTRATION/AGENCY:

Scott Jackson, Commissioner, CT Department of Labor: He supports the bill because it updates CT's law to align with policies passed in other states and provides more workers with paid sick days. Robust paid sick leave policies promote productivity and employee retention and enable workers to recover from illness more quickly while not spreading the illness to co-workers and/or the public. Thousands of vulnerable workers are without any paid time off and this would close the gaps. It repeals the service worker limitations and would allow all hourly workers to accrue sick time.

Kevin Lembo, CT State Comptroller: Comptroller Lembo said this legislation is a mechanism that offers an insurance product for replacement income for employees who need time away from work. It is consistent with CT's FMLA and will make family and medical leave a more meaningful benefit as well as bolster the financial security of CT families.

Dannel P. Malloy, Governor, State of Connecticut: Governor Malloy's testimony stated this bill closes loopholes, streamlines interpretation for enforcement and protects more workers by allowing them sick time. It is time to update our paid sick time laws and make CT a healthier place to live and work.

Marilyn Moore, Senator, State of Connecticut: The cost of living in CT is higher than the nation average. As Chair of Human Services, she has heard testimonies from hundreds of men and women who depend upon every single day's pay. From daycare workers to health care workers, there has been a cry for respect, fair pay for the work they do and wages that allow time to care for their families so they would not be forced to be dependent upon state subsidies.

NATURE AND SOURCES OF SUPPORT:

AARP Connecticut: The bill will address health and safety concerns of many of their 6000,000 members across the states that have little ability to take time off. As our population continues to age, CT is faced with serious pressures to provide appropriate level of caregiving to seniors. The burden often falls on family members. Working people are being presented with the choice of providing care to their loved ones or working to support their family. This bill provides the ability for families to fulfill both obligations. It has the additional benefit of protecting individuals who are forced to come to work while they are sick themselves or worried about caring for a sick loved one.

Ayana, Windsor Resident: When she had to take maternity leave without pay, she was able to fill out FMLA paperwork and be assured her job would be waiting for her. Going without pay for 8 + weeks each pregnancy and then paying for day care when she returned to work was taxing and stressful. Any system where people pay into an extra source of income would ensure sense of comfort.

Madeline Granato, CT Women's Education and Legal Fund (CWEALF): Although groundbreaking in 2012, current sick leave coverage needs expansion to include smaller employers. Students and workers who show up sick for work or school are a health hazard to other co-workers, customers, clients and students. This bill would provide access to preventive care without negatively affecting the employee's income and improve the health and financial well-being of CT workers and their families.

Joelle Fishman, CT Communist Party, USA: Ms. Fishman testified in support of this bill because it provides a solution to give CT a significant economic boost by addressing shameful and unsustainable inequality issues. It is unacceptable that in 2018, due to discriminatory issues and the wage gap, women overall earn 83 cents for each dollar earned by white men, Black women earn only 59 cents and Latina women earn only 48 cents. Instead of getting stuck in trickle down austerity measures that actually widen disparities; these changes would benefit all sectors of the economy.

Julie Kushner, Director, United Auto Workers (UAW), Region 9A: Ms. Kushner first became involved in the fight for rights of workers when working as a secretary in college. She discovered women were paid much less than men for the same work, and in cases of sexual harassment, women had no avenue to report problems without retaliation. There has been progress, but there is still a long way to go to improve these issues. Similarly, CT has fallen behind on its protection for workers needing a few days of paid sick time for medical care or minor illnesses. Over 40 jurisdictions, including 7 other states, have paid sick day standards. Our laws are by far the weakest with the most unjustifiable exception and carve outs.

Ned Lamont, Small Business Owner: In his experiences, a great number of employees leave their jobs when faced with a personal crisis. This is bad for the business as well as the employee. This bill proposes creative solutions that will increase the number of workers in our state.

Ali McKeen, Wallingford Resident: Ali supports education as an answer that would resolve a variety of social ills. It would eliminate many inequities and create widespread changes in cultural attitudes.

Carlos Moreno, State Director, CT Working Families Organization: When the paid sick leave law passed in 2011, it brought security to tens of thousands of hourly workers. Yet thousands of people are still not covered and are at risk of losing their jobs, incomes and are forced to choose between their health and a pay check. Under current law, a manufacturer with separate facilities may have to provide paid sick leave at its administrative location but not at its manufacturing plants. It is hard to justify why office workers should be afforded paid sick leave while people working in factories/plants, who are actually at higher risk of injury on the job, are not.

Yolanda, Windsor Resident: When her mother required around-the-clock care due to cancer, there were numerous doctor appointments and she was often unable to be alone after treatments. To be available to care for her, Yolanda filled out FMLA paperwork and was told although she had more than enough sick and vacation time to be out more than 3 months, there was still an issue because she was not personally sick. We must do better for our elderly. Their families need to be able to take whatever time necessary to ensure their care.

NATURE AND SOURCES OF OPPOSITION:

John L. Cattelan, Executive Director, Connecticut Alliance of YMCAs: They are opposed to elimination of the section exempting any nationally chartered organizations from taxation. They estimate this legislation would cost CT YMCAs over \$850,000 and have a negative impact on their employees and youth who participate in their programs and after school programs. The YMCA's exist to strengthen their communities and work with thousands of people to ensure everyone, regardless of age, income or background, has the opportunity to learn, grow and thrive. This bill would make that goal more difficult.

Bill Ethier, Chief Executive Officer, Home Builders and Remodelers Association of CT, Inc.: CT continues to suffer from a prolonged, depressed housing market. Unlike the rest of the nation, housing has yet to recover from the economic crash. Please don't place anymore cost burdens on CT's businesses. Rethink the direction this well-intended bill would send CT and its households.

Eric Gjede, Counsel, CT Business and Industry Association: CT's paid sick leave law has proven to be costly for businesses. Expanding this law to cover every business in the state and forcing both those with 20 or more as well as those with less than 20 employees to provide up to five days of paid leave per year would result in additional cost and administrative burdens. Businesses have realized none of the promised benefits of the existing sick leave mandate.

Little evidence exists supporting the claim that paid sick leave would decrease illness in the workplace or reduce employee turnover. This is a barrier for success.

National Federation of Independent Business: Opposes the bill because it would harm existing small and mid-sized businesses in CT and discourage expansion /relocation of new ones. CT is already a high-cost state for employers with energy and development costs, taxes, unemployment insurance costs, health insurance premiums, employee salary and benefits costs at or near the highest in the nation. They did a survey asking a variety of small businesses to respond to how this bill would affect them. Among the negative responses were the extra financial burdens that would be put on production, a resistance to hiring additional employees, a reduction in staff, and cuts to their bottom line.

Peter J. Prunty, President, Greater Danbury Chamber of Commerce:

JoAnn Ryan, President, Northwest CT Chamber of Commerce: Testified in opposition to the bill because it increases the cost of doing business in CT regardless of economic conditions and the employer's ability to pay. The Chambers recognize higher pay and better benefits attract better employees, but at the same time these are not cost free.

Wendy Traub, Small Business Owner of Hemlock Directional Boring and Chairman of NFIB'S CT Leadership Council: She expressed her dismay that the state is considering mandating paid/unpaid sick leave to small businesses. Most already offer paid time off in the form of vacation, sick or personal time. Making this a mandate would restrict employers' ability to determine the best combination of benefits they can offer. By allowing carry over paid/unpaid days would cause problems for offices, such as having to track this time over several years on an employee-by-employee basis. Small businesses usually have a more personal relationship with their employees and need the freedom to decide when they are eligible for benefits.

Reported by: Marie Knudsen

Date: March 23, 2018