February 14, 2019

LABOR AND PUBLIC EMPLOYEES  2:00 P.M.
COMMITTEE PUBLIC HEARING

CHAIRPERSON:  Representative Robyn Porter

SENATORS:  Kushner, Lesser, Miner, Osten

REPRESENTATIVES:  Hall, Luxenberg, Polletta, Porter, Rutigliano, Smith, Wilson Pheanious, Winkler

REP. PORTER (94TH):  We're gonna go ahead and get started with the Labor and Public Employees Committee public hearing. And before we do that, I will turn it over to Representative Hall, to take care of the housekeeping.

REP. HALL (7TH):  In the interest of safety, I would ask you to note the location of and access to the exits in this hearing room. The two doors through which you entered the room are the emergency exits and are marked with exit signs. In the event of an emergency please walk quickly to the nearest exit. After exiting the room, proceed to the main stairs and follow the exit signs to one of the fire stairs. Please quickly exit the building and follow any instructions from the Capitol Police. Do not delay and do not return unless and until you are advised that it is safe to do so. In the event of a lockdown announcement, please remain in the hearing room and stay away from the exit doors until an all-clear announcement is heard. Thank you.

REP. PORTER (94TH):  Thank you, Representative Hall. And we will go ahead and get started. And I just want to let you know that we will start with elected officials for the first hour. After that hour is
up, we will rotate back and forth if we still have officials to go through. And we will begin with Representative Gilchrest with Jessica Labrenicis. And please forgive me if I messed your name up, Jessica. Good afternoon.

REP. GILCHREST (18TH): Good afternoon. Good afternoon, Senator Kushner, Representative Porter, and members of the Labor Committee. My name is Jillian Gilchrest. I am so thankful to have the opportunity to testify in support of Senate Bill 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and House Bill 5033, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

I've been working on this issue of paid family and medical leave with many of you and many of the advocates in the room since 2013. Now, six years later, a campaign for paid family leave has grown significantly. A tremendous amount of research and information has been gathered and you have a strong proposal before you that is ready for a vote.

Also, over these six years, our surrounding states have passed us by and paid family and medical leave is needed in Connecticut and long overdue. I am also now a State Representative, six years later, and hopeful that I will get the opportunity to support this bill with my vote. And it is my pleasure to kick off today's public hearing and introduce Jessica Labrenicis, a constituent, who is going to share her experience, one of many, that explains the need for paid leave in our state.

MS. LABRENCIS: Members of the Labor Committee, my name is Jessica Labrenicis. I'm a resident of West Hartford and I appreciate the opportunity to testify in support of Senate Bill 1, AN ACT CONCERNING PAID
FAMILY AND MEDICAL LEAVE, and House Bill 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM. Thank you, Representative Gilchrest, for this opportunity.

I'm here today to tell the committee about my experience with California's paid medical -- family and medical leave system. Although I was born and raised in Connecticut, I lived in San Diego for eight years while my husband served in the Navy. I was fortunate to have the opportunity to participate in California's paid family and medical leave system after my son, Graham, was born in 2013. When I was pregnant, I was a lawyer at a small law firm that was not covered by the Family and Medical Leave Act because it employed fewer than 50 people. Even if my firm had been covered by the FMLA, I would've been only able to take up to 12 weeks of unpaid leave after the birth of my son.

As a new attorney at a small law firm with a spouse who was an enlisted sailor, it would've been financially difficult, if not impossible, for me to take eight or twelve weeks of unpaid time off after my son was born and the financial stress of taking unpaid leave likely would've overshadowed the first few months of my newborn baby's life, and I wouldn't have been able to fully physically and emotionally recover from childbirth before returning to work.

Fortunately for my family, I was able to take advantage of California's paid family and medical leave systems. In California, workers pay into the state's insurance systems and are able to take off up to 12 weeks after the birth of a child and to bond with the baby while receiving partial wage replacement. The paid family and medical leave
system is open to most employees in California regardless of how many people are employed by a given company or how much money they earn. California has companion laws that provide job protections to many workers.

After my son was born, my doctor and I completed some simple paperwork, and shortly thereafter, I began receiving weekly payments which partially replaced my earnings for 12 weeks. During that 12-week time period, I was able to recover physically and emotionally from childbirth and I was also able to focus on caring for and bonding with my new baby. And I believe that having 12 weeks off from work was crucial in establishing a strong breastfeeding routine with him. It was very important for me to return to my job after my son was born. So, after taking off those 12 weeks, I did ultimately return to work. And thanks to California's paid family and medical system, my son's first 12 weeks of life were not overshadowed by financial stress.

Since becoming a parent and moving back to Connecticut, I've supported the paid family and medical leave bills that have been proposed in the past several sessions. Over the past few years, I've also seen people in my life experience the hardships that are associated with being out of work due to serious medical issues. I found myself contributing to GoFundMe style fundraisers for acquaintances to help them stay afloat when they're out of work dealing with medical crises. I strongly believe Connecticut should be the next state to implement a formal paid family and medical leave system to provide a safety net to all Connecticut residents who are experiencing serious medical issues or bringing home new babies.
I urge the committee and Connecticut lawmakers to pass these bills so that Connecticut workers can maintain financial stability after the birth of their children and when dealing with serious health issues. Thank you very much.

REP. PORTER (94TH): Thank you, Jessica. Any comments or questions from the committee? Seeing none, I would like to thank you for your testimony today and for taking the time to come down. Thank you, Representative Gilchrest, and congratulations again on your election. Next up we have Representative Cristin McCarthy Vahey, to be followed by Representatives Caroline Simmons, Liz Linehan, Cristin McCarthy Vahey, Chris Conley, and Senators Mae Flexer and Christine Cohen. Okay, no Representative Cristin McCarthy Vahey. Do we have the second group? No?

Well, we'll move on. Senator Paul Formica. Senator Paul Formica? Okay. We're moving on. Well, he's also listed with Heather Somers. Senator Somers and Senator Martin, are they here? Hmm. Okay. Representative Slap with Tim Oppenheimer and Sheila Diamond. Yay! Come on down. Good afternoon.

REP. SLAP (19TH): Good afternoon. Good afternoon to our Chairs, Senator Kushner, Representative Porter, Ranking Member Senator Miner, Representative Polletta, Vice-Chairs, and all members. I am listed to speak in favor of House Bill 6113. I do want to note for the record that I'm also here in support of paid family leave as well. But, Representative Porter, I do want to thank you for your leadership on the bill that we're gonna talk about and the premise is very simple. I've submitted testimony,
so I'll just summarize it and then I want to hand off to two people who have joined me here today.

You know, when we go in for job interviews, employers are not allowed to ask job candidates their age. However, that can be done, essentially, on job applications, if you think about it. Dates of birth and graduation dates can be not only solicited on job applications, but they can be required. And I think this is unfair to our seniors. It essentially enables employers to vet seniors based on their age before they ever even get to the interview process. And some might say, well, is this gonna solve the issue of age discrimination. I think, you know, the answer, of course, is no, singlehandedly it won't, but it is a very important step in the right direction and it couldn't come at a more important time.

We have more and more of our seniors who are in the labor market. They're staying in the labor market partly because of changes to Social Security, because employers are walking away from pensions and other support for our seniors. So, we do -- we all have a vested interest in making sure that our grandparents and seniors are able to find real employment and that they're not under employed or discriminated against and this is a very kind of simple step that we can take.

And I would say, at the same time, a court of appeals just ruled that seniors who are employed are protected from age discrimination law, but seniors who are job candidates actually are not. And so that court ruling is being appealed, but I think it makes it even more important that we take this step. And other states have already done this, so we won't
be the only one. But it's a very easy, simple step that we can do to help protect our seniors from being discriminated against.

So, with that, I do want to have two people speak very briefly. One is a gentleman, Tim Oppenheimer, and he helped bring this issue to my attention. I think he could talk about his experience. And then, also, Sheila Diamond, and she is the executive director of the Seniors Job Bank, and she can speak specifically to the challenge that many seniors face. So, I will step out and let them do their thing.

MR. OPPENHEIMER: Thank you. Good afternoon, Senator Kushner, Representative Porter. Thank you for giving me the time to speak here today. As Derek said, my name is Tim Oppenheimer. I'm 73 years old. I'll be 74 in April.

In August of last year, I applied for a position actually with the State of Connecticut. It was an equal employment opportunity specialist and I thought I was particular well qualified for that position. I had spent many years as an anti-discrimination attorney. I taught discrimination law. And for the last 12 years, before I retired from the union, I was a union representative for AFSCME Council 4. So, I had had a lot of experience with workers, with discrimination in the State of Connecticut.

What I encountered on my application was a question that asked my dates of attendance in college. The problem -- now, normally, I'm asked that and you have the opportunity to pass it by and not answer. That's probably what I would've done. But in this case the application required you to answer. You
could not get to the next page. You could not get to the next section of the application without answering that question. So, I answered the question. Despite what I felt were my qualifications, I never got a call, never got an interview.

And I subsequently filed a complaint with CHRO, which is pending. But there needs to be greater protection for older workers in Connecticut. Not only as a matter of fairness, but also because, in my view, Connecticut must endeavor for the sake of its own strong economy to ensure that employee decisions are based strictly on merit. There should be no place in Connecticut for employment decisions that screen out productive, experienced and qualified workers because of erroneous ideas or stereotypes about age.

Accordingly, I strongly support the legislation introduced by Representative Slap and others, House Bill, No. 6113, that would make it unlawful to directly or indirectly elicit information bearing on an employment applicant's age. This would be a significant step forward in the protection of older workers in Connecticut. Thank you.

REP. PORTER (94TH): Thank you.

MS. DIAMOND: Hi. I'm Sheila Diamond. Can you hear me? I just want to say good afternoon to the members of the Labor Committee. I'm Sheila Diamond. I'm the executive director of the Seniors Job Bank. We are a nonprofit organization located in West Hartford that helps people over the age of 50 find part-time work in the greater Hartford community. And so we currently have about 700 people in our data base. They're all over the age of 50. They've
all been interviewed and we hear their stories. And the story that we hear over and over again is how difficult it is for them to get a job. And a 50-year-old isn't even technically a senior. And not only is it difficult for them to get a job because of their age, but they can't even get in the door. They can't even get an interview.

And so, we are supporting this legislation because anything that ensures that people are judged just based on their abilities and skills is something we feel strongly about and we really do need to, you know, level the playing field for older workers who are looking for jobs. And so, I hope you'll support this. Thank you.

REP. PORTER (94TH): Thank you and thank you for your testimony. Any comments or questions? Yes, Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. I'm not sure who to direct this question to. So, perhaps, Representative Slap, I don't know if you want me to direct it to these two individuals. But let's just say, for argument's sake, I agree with you that we should be concerned that some people might be categorizing senior citizens, folks at a certain age, the upper limit perhaps as not being somebody worth investing the time and training to someone, not offering a position to.

When I look at the language, it seems to be rather broad and open-ended. And so, my read of the language is that it would also include a restaurateur or a bar owner from being able to inquire as to the age of an applicant that might be applying for a bartender's position or an equipment operator that OSHA would prohibit from operating
heavy equipment from applying. So, is the intent here that anyone who seeks employment for any of these positions at any age should have the ability to apply and be interviewed? And then if the age is determined to be unlawful, how would that shake itself out?

Through you, Madam Chair.

REP. SLAP (19TH): Yeah. Thank you. And, no, I mean, the -- we'd be happy to work with you on language. I think the intent is to make sure that folks aren't being, you know, unnecessarily vetted because of age, but we could I think certainly entertain a language that would allow -- you know, we all know there's certain situations where an employer would want to ensure that the person was not a minor, as an example, right, or that they were above the age of 21. So, I think there's ample opportunity to work with you in tightening that up.

MR. OPPENHEIMER: Well, one thing that occurs to me. There's an area of the law called a bona fide occupational qualification, BFOQ. And so, if an employer can establish that a age -- beyond a certain age does not qualify for safety reasons or whatever, that's legitimate, and I would think that that would be put in the job posting to begin with. You know, so I don't think that would be a problem.

SENATOR MINER (30TH): Through you, Madam Chairman. But my reading of the plain language is the person offering the job would be prohibited from even inquiring about the date of birth. So, it may be unlawful for them to hire. It would also be unlawful for them to inquire.
MR. OPPENHEIMER: Well, I would say that, perhaps, and I don't wanna read words into it, but a provision that -- except for a bona fide occupational qualification, something to that effect could be inserted into it.

SENATOR MINER (30TH): Thank you. Thank you, Madam Chair.


REP. SMITH (108TH): Madam Chair, I'm pretty far away from you, but I'm still a state rep. (Laughs) Nice to see you. Good afternoon.

REP. PORTER (94TH): Good afternoon.

REP. SMITH (108TH): Just a quick question to the gentleman who is the attorney that applied for the job with the state. Did you actually get the job or no?

MR. OPPENHEIMER: No. I really -- maybe it sounds a little bit of a conceit, but I felt that I was very well qualified for it and I -- but I have no idea what the other applicants. I didn't get an interview. I was told that I was minimally qualified, that my application was passed on among the group that were minimally qualified. I didn't get the job. I didn't have an interview. I didn't speak personally with anyone.

REP. SMITH (108TH): Were you able to determine at all whether the lack of even getting an interview was -- had anything to do with your age?

MR. OPPENHEIMER: Well, the commission sent a letter that they had sent to the state, inquiring about all
the people who had applied along with all of their qualifications. So, I would think that somewhere in this process that's pending, we'll be able to look at the other applications and determine relative qualifications.

REP. SMITH (108TH): Oh, that's right. I forgot. So, you filed a claim against the state as a result of the non-hire?

MR. OPPENHEIMER: I did. I did.

REP. SMITH (108TH): Okay. Well, I won't go any further then. All right. Thank you, Madam Chair.

REP. PORTER (94TH): You're welcome. Representative Hall.

REP. HALL (7TH): Thank you, Madam Chair. Just a quick question from a technical aspect. So, understanding the application itself, most applications ask for employment history which would call for you worked from this time to that time, and that would indicate several years of experience, and they could presumably deduce the same concept that somebody may be older than. So, how do we rectify that or potentially rectify that?

MR. OPPENHEIMER: Well, I haven't seen the exact language of the bill. Most applications, or many applications, do not actually require that you put down the dates that you worked at a particular place. So, -- and then other applications ask for it, but allow you to not -- to pass it by and go on to the next question. So, I typically -- in my applications, I don't put down the dates that I worked, you know. And I've have had -- over 50 years, I've had a lot of jobs. So, I try to include
the relevant jobs, the relevant positions, and without specific dates of employment.

REP. SLAP (19TH): And if I could add, Representative, that I think there's -- I mean, we certainly want an opportunity for job candidates to be able to list their qualifications. That's helpful for them and it's helpful for the employers as well. I have heard some folks question it and say, well, you know, can't now, in the digital age, can't folks Google the job applicant, right, as an example, or look them up on Facebook or whatever and try to -- you know, try to deduce, right, how old they are.

And I think the answer to it is -- and I'm not saying this is your question, but just to kind of address some concerns that people might have. An experience that might be one of them is that, you know, we -- this is a step and anything that we can do to make -- even if it's, you know, discrimination that's not meant purposefully, but is done with some bias, if we can root that out or make it more difficult, I think that's a plus. And this is just gonna help our seniors at least get in the door. That's the intent, at least to get the job interview. And things like, you know, experience will come up and they should come up.

REP. HALL (7TH): Thank you.

REP. PORTER (94TH): Any further questions or comments? Okay. And I'd just like to state for the record that this is a proposed bill. There has been no language crafted for this bill yet. And the purpose of the testimonies that we're hearing today is to help us make those calls on what should go or
should not go in this language. So, thank you for taking the time to help us do that today.

REP. SLAP (19TH): Thank you very much.

MR. OPPENHEIMER: Thank you.

REP. PORTER (94TH): You're welcome. I don’t see Representative Cristin McCarthy Vahey, but I do Representative Caroline Simmons, Representative Linehan, Senator Conley, Senator Flexer, Senator Cohen. I guess some of you guys are missing, but. Welcome, ladies.

REP. SIMMONS (144TH): Thank you, Representative Porter, Senator Kushner, Senator Miner, Representative Polletta and all distinguished members of the Labor and Public Employees Committee. Thank you for the opportunity to testify today in favor of House Bill 7043, AN ACT CONCERNING BREASTFEEDING IN THE WORKPLACE.

And I'm honored to be here today with Senator Abrams, Senator Cohen, Representative Linehan, Representative McCarthy Vahey, Representative Conley, and Senator Flexer, who wanted to be here, but I know it's a busy day with competing meetings, but they wanted to express their support as well. And all of them have been champions for this issue and we are testifying today together in favor of this bill, which is critical to supporting women who wish to breastfeed when they return to the workplace.

The bill we have before us has three key provisions. First, it clarifies that lactation rooms, which are already required in our current statutes, be private and shielded from the public so that women have the privacy and support they need to do this activity.
Second, it clarifies that lactation rooms should be near a refrigerator and have access to an electrical outlet. And this is important because an electrical outlet is necessary to actually turn on breast pump supplies and a refrigerator is necessary for safely storing breast milk so that it does not become contaminated with bacteria and then infect the baby. And third, it requires employers to provide the support for women who wish to breastfeed for up to three years, which we recognize not all women will do. I don't know if I will make it that long. But it is one of the recommendations of the World Health Organization.

These provisions are so important to help women who wish to breastfeed to continue that activity, because there are so many benefits to the health of the mother and the baby, and as a result, all of our families. Studies have shown that breastfed babies are less likely to develop infections, allergies, asthma, cancers and a range of health issues, and breastfeeding helps reduce the risk of breast and ovarian cancer for the mother as well as helps her uterus recover.

And many women want to keep breastfeeding to get all these benefits, but unfortunately it becomes more and more difficult with time to find the support needed to pump when returning to work. And because of this, 80 percent of mothers start off breastfeeding and that rates drops down to 50 percent within six months and only 20 percent after a year. And the American Academy of Pediatrics recommends that women exclusively breastfeed if they can for at least six months to a year.
So, we believe that passing these measures will clarify what an adequate and supportive lactation room entails for employers and will support more women who want to continue to breastfeed when they return to the workplace, thereby improving health outcomes for mothers and families. And I also want to say that this -- these provisions will also help attract more millennials and young women during their reproductive years to our state because women want to work at companies that are friendly and supportive to working women.

And so, I think this is another great way to attract more women and young people to our state with these family-friendly policies. And also research shows that when workplaces are supportive of policies like these, workers are more loyal, there's less turnover, and more productivity and loyalty to the company. So, with that, we are happy to answer questions. I also want to mention that Representative Linehan has specifically worked with nursing mothers and businesses to help mediate issues and find reasonable accommodations, and can answer questions about that. And all of us are happy to answer questions. Thank you for your time today.

REP. PORTER (94TH): Thank you for your testimony. Any questions or comments from the committee? Yes, Representative Smith.

REP. SMITH (108TH): Thank you, Madam Chair. And welcome, fellow legislators. Good to see you all here in support of this bill. I just -- I'm trying to see how this would work in a small business that may not have the capacity to create this lactation room. So, if you could describe what a business
owner might do in that situation, where even though there may be a certain -- a very willingness to comply, there's just no separate room. You know, it's a small office. There's an office for the person, an office for a bathroom, and, you know, a slight little -- maybe a counter with a sink and a small little refrigerator upstairs. I mean, how's it all work in practical workplaces? Anybody.

REP. SIMMONS (144TH): Thank you, Representative Smith, and we very much appreciate that question, because we want to be cognizant of making sure that businesses are able to comply with this and that it is, you know, business-friendly. And so, first of all, I'll just say that the statute does say that businesses must make reasonable efforts to provide these accommodations. And a reasonable effort is defined as anything that wouldn't cause an undue financial hardship on the business. So, you know, if it was a very small shop that, you know, wasn't able to, obviously, create or build a whole new wing, that wouldn't be expected. But the business is expected to make reasonable efforts and to have that conversation with the nursing mother about a space that might be appropriate that she would feel comfortable with. And I'll turn it over to my colleague, Representative Linehan, for more insight.

REP. LINEHAN (103RD): Thank you very much and thank you for that question, Representative. So, in my experience as a breastfeeding advocate, I had the opportunity to work with nursing moms to actually help employers to define what those reasonable efforts would be. A lot of times we find that the term, "reasonable effort," is scary to an employer because they think it means a lot more than it actually does.
So, in my experience, I have actually mediated between a nursing mother and the company that they worked for, and I'll give you a very specific instance. There was one nursing mother who worked in what used to be a home and they turned that into a business. So, it was a three-family, giant colonial and now it had desks everywhere and they didn't actually have many offices with closed doors. So, when the law reads a reasonable effort or reasonable accommodation, the business owner was concerned that that meant they had to move people out of an office and move the nursing mom in. When, in fact, it just -- when I facilitated the conversation, the nursing mom was very happy with utilizing the smallest part of the third floor and just putting up a privacy screen.

Now, that may not be appropriate for every nursing mother, but the point is is that the term, "reasonable accommodation" or reasonable effort," is so broad in that it's meant to facilitate conversations between the nursing mom and the company. So, sometimes it's not as onerous as it seems. And so, that mom did go on to continue nursing her child, and as a matter of fact, she was able to nurse her child for a period of 18 months after returning to work and she pumped during that time. So, that really made the employer happy, the employee happy, and it allowed the employee to continue at her position and still contribute to the company. Does that help answer your question?

REP. SMITH (108TH): It does. I don't see the -- I see the reasonable language in the proposed bill. But what you stated in terms of not requiring a financial hardship or things of that nature is not in here, so that's obviously something we can
consider as a committee to make sure it is in there to protect those -- because you can imagine that your experience may be very different than somebody else's experience, where, you know, they do want a separate room or they do want a private room.

REP. LINEHAN (103RD): But that's why we ask that conversations happen. And to your point, this wonderful group of women, last year, put together a bill for pregnancy protections in the workplace. And a lot of the argument on that bill was also if it constitutes a financial hardship. And so, I am confident that we can all work together to help define what a financial hardship would be. However, if we're talking about providing an outlet, in most instances I don't believe that that would be a financial hardship.

And any company that has workers who work for a period of more than four hours typically does have a refrigerator in an office. I understand there may be instances where that's not appropriate and that may constitute a financial hardship. But I think I would also caution that we don't put want to put such a narrow focus on that, because I think if we determine what a financial hardship is, then that really limits the ability for that conversation between nursing moms and the companies in order to say that we're making a reasonable effort. Do you understand what I'm trying -- I hope I'm coming across appropriately here.

REP. SMITH (108TH): I certainly understand and I think you're right. I think what's reasonable for one employer would not necessarily be reasonable for another employer. You have a small employer where a thousand dollar cost may be a lot of money, where a
bigger company may be say, well, that's, you know, that's certainly within our budget. So --

REP. LINEHAN (103RD): Exactly. So, I just caution that we don't get too narrow on that and we allow for conversations to happen between employer and employee in order to determine what would be considered a hardship.

REP. SMITH (108TH): So, just one more question if I may, through you, Madam Chair. On the --

REP. SIMMONS (144TH): Excuse me. Representative, can I answer something on that question too?

REP. SMITH (108TH): Sure.

REP. SIMMONS (144TH): I just want to say that you'll notice that it doesn't talk about being a dedicated space, just that it be a private space, shielded from the public. So, in your example, you know, there might be an office that could be used for just that period of time, where the door locks, they put up a sign. That's been my experience. It says, you know, office in use. But it doesn't have to be that that space is taken for the entirety or, you know, simply dedicated for that. It could be just used during that period of time when the woman needs it.

REP. SMITH (108TH): Yeah. Actually, thank you. That's helpful, because I wasn't thinking of that. I was thinking it had to be a designated space where --

REP. SIMMONS (144TH): Right, right. No, it just -- and I used to be an assistant principal at a high school and we did have this situation. And even in a big high school that can sometimes be hard to
find. So, that was one of the solutions that we used, was to use space that then was, you know, private, locked door, and could have a sign up saying that it was being -- that it was in use at that time. And that seemed to work very well.

And just to reiterate that. When I was in jury duty I used the judge's chambers to pump and that's exactly what we did. (Laughter) We just put up a sign, so.

SENATOR COHEN (12TH): I'll just add to that as well, because I am a small business owner and I have a space that's probably one that you would be thinking of that would be pretty limited and constrained in terms of allowing mothers to breastfeed. And I was nursing at my business. We have a small office that's shared in the back of our facility which is, you know, really taken up by ovens and baking equipment. But we -- I used that space for, you know, short bouts or periods of time when I was nursing and needing to express milk. So, and then you open the office back up and it was used by various employees including my partner, my husband, so.

I also have experience on conversely, from a corporate standpoint, when returning back to work and finding it very difficult in a building with many, many rooms available, to find an appropriate private space with which I could express my breast milk. And very limited in terms of time, very limited in terms of what I could do. I certainly didn't want to put breast milk packets in, you know, the lunchroom refrigerator. So, I, you know, as somebody who experienced going back to a corporate work environment and found it very difficult to find
the time and the privacy with which to express milk so that I could continue nursing for as long as I chose.

I think that this legislation proposal is reasonable and, quite frankly, very necessary for females and really great for business owners as well in terms of employee retention, so.

REP. SMITH (108TH): Fair enough. Just one more question, through you, Madam Speaker. The end of the bill talks about providing breastfeeding support for up to three years from the date of the child's birth. Just -- it seems like a broad statement. So, I'm not sure if you could help us or at least help me with -- what does that support encompass?

REP. LINEHAN (103RD): So, all of the components of the bill that talk about the refrigerator, the private space, would need to stay in effect for a period of three years because the World Health Organization actually believes that you should nurse for as long as possible. And that, for many women is up to three years and sometimes even beyond. So, that means that they need to have these accommodations continue for a period of three years or until the employee decides that it's no longer appropriate for her.

REP. SMITH (108TH): Well, thank you very much. Thank you all for coming and sharing your thoughts and explain this bill. It certainly seems like a -- something we could work on to make sure that the women who need to do what they need to do, do it privately and in a place where it's not an economic burden to the employer. So, thank you, Madam Chair.
REP. PORTER (94TH): Thank you, Representative Smith. Representative Luxenberg.

REP. LUXENBERG (12TH): Thank you, Madam Chair. I just wanted to thank you for coming forward with this great legislative proposal. My sister actually experienced this challenge in her workplace, that there was not a dedicated space. In her scenario, she kept having to talk to management. It was actually at a school. And it was really a horrific, onerous burden on her and it took a lot of fighting to be able to get the most basic accommodations for her. But once she did the fighting, essentially, the school that she worked allowed her to do it. And they had the space. It wasn't an issue of cost. It wasn't an issue of having the space. The space was available. I think in her case it was an issue of the people who were running the school were men and they just hadn't thought of it. It wasn't a priority, to speak frankly.

So, I'm wondering if in your experience you find that part of the problem isn't the size of the room or the space, but part of the problem is sort of an institutional sexism that permeates workplaces, our public schools, and in some cases just causes people, unfortunately, just to not be thinking about, you know, the best interest of their employees? And do you think a law like this, if we were to pass it, would sort of empower women in the workplace to challenge some of those institutional barriers and some of the institutional sexism that permeates the Connecticut workplace?

REP. LINEHAN (103RD): Thank you for saying that and I appreciate you bringing that out into the open. I will say this, though, because you did ask, "in my
"experience," is that what I found, my experience as a breastfeeding advocate. A couple of points. I think that the topic of breastfeeding, especially expressing milk in an area where people who haven't seen that are present, it's just foreign and it makes people feel uncomfortable.

So, I think that this law, yes, would empower women, but I think an important component of that is that we also need to get the word out that this law exists. That's what's going to empower women. And facilitating those conversations with perhaps a man who was not breastfed, maybe no one in his family ever breastfed, they don't understand that. And I also have to say, it's not always men. Women too. You know, in my own personal life I've had women say, eww, I can't believe you -- you know, and they don't understand.

So, I think that there's a couple of answers to your question. One is, yes, this will empower women. Two, yes, this will educate women to stand up for themselves, and three, will educate employers to understand why it's important and how it can be done without making them feel overburdened or, frankly, uncomfortable. The more we talk about it, the less people will feel uncomfortable. Do you want to add to that?

REP. SIMMONS (144TH): Absolutely. I would echo what Representative Linehan said. And thank you for sharing that experience that your sister had, Representative Luxenberg. And I think that's why passing this bill is so important to really clarify what businesses are required to do. Because I think many businesses also don't necessarily know what the requirements are because the law is vague right now.
In fact, I'm looking at an article that says employers routinely break the law when it comes to breastfeeding moms. Only 40 percent of women had access to both break time and a private space despite federal law requiring both. And so, as a result of the vagueness, many states are taking measures. Twenty-nine other states have further specified breastfeeding laws to address the concern you mentioned. So, I think that's what we're trying to achieve here today, to provide that clarification and that kind of best practice for businesses to follow.

REP. PORTER (94TH): Thank you. Representative Pheanious.

REP. WILSON-PHEANIOUS (53RD): Yes, I just had a question regarding your refrigeration expressed milk, whether or not a separate refrigerator is required or how that issue was handled in a small business that they might have one small refrigerator and not others, and how would recommend that be managed?

REP. LINEHAN (103RD): So, the bill does not specifically require that a separate refrigerator is necessary; however, I don't know -- for those of you who have never seen expressed breast milk and how it is kept, there are basically two main ways that you keep expressed breast milk. It would be either in a bottle that has a cap that is tightened or it is in a little plastic baggie with a tab. They do not take up a lot of room and they could be put in the back of the fridge, which is actually often where it's stored anyhow.

But a lot of times -- that was one of the complaints that we've heard from people that, eww, there's
breast milk in the refrigerator. Once again, one of the things we need to do is educate that that's actually a human biological function and it's not truly disgusting. But there is the possibility of actually putting it in little lunch containers that you can put it in the fridge. So, that would be a reasonable accommodation, is using an actual refrigerator that might be used for lunches and so on and so forth. However, I believe, and please correct me if I'm wrong, that this law does not stop an employer from purchasing a separate refrigerator for that purpose. Correct?

SENATOR COHEN (12TH): That's correct. It's not required that it be separate. It could certainly be used in the communal refrigerator as well.

REP. WILSON-PHEANIOUS (53RD): So, it would just be a matter -- I'm looking at the expenses. It would just perhaps be a matter of segregating a part of your refrigerator for this purpose or marking it in some way. You wouldn't have to go to the expense of another. I also, for the same reason, wondered about the electrical requirements that there be electricity in the room, obviously, for the breast pump. I was thinking that you might be able to convert a closet or some other reasonably suitable place, but for the electricity. So, I guess the question I'm asking, the electricity is an important part of the requirement of the separate space, that there be electricity in it.

REP. LINEHAN (103RD): Yes, absolutely. And again, the reason is because the electrical outlet is necessary for the majority of pumps, you know, particularly the ones that are covered by insurance require to be plugged in.
REP. WILSON-PHEANIOUS (53RD): But I also think that all of -- you've expressed many reasonable ways to accommodate that issue and I think that you clarified that.

REP. LINEHAN (103RD): Sure. And once again, that comes back to the reasonable efforts and accommodations. Right? So, if -- this law wouldn't require someone to rewire a closet in order for that, but perhaps maybe offer a six-foot extension cord, you know. And so remember, we're looking at reasonable accommodations.

REP. WILSON-PHEANIOUS (53RD): Thank you.

REP. PORTER (94TH): Thank you. And Senator Miner. I'm sorry?

REP. WILSON-PHEANIOUS (53RD): I was gonna say and thank you for raising this issue because there are many, many women out there, as you're well aware, have this issue, would want to be able to manage this through the workplace. And simply because of all of the many, you know, the embarrassment factor and the fact that people don't know wont' raise it. So, I'm so pleased that you did.

REP. LINEHAN (103RD): Normalize breastfeeding. That's what we're trying to do. Much better for the baby.

REP. PORTER (94TH): Thank you. Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. Thank you, ladies, for being here to speak about this legislation. I -- when I listened to the conversation, I can think of a whole host of locations where this might be really very easy to accommodate. And in those cases, the reasonable
issue I can only imagine would be hard to argue if you were an employer saying it's not reasonable.

But as I look in the audience, I can -- I think of different occupations where reasonableness becomes a little harder to define; folks that may be working on the road, folks that may be working providing services to the elderly from one house to the next. How do you envision those types of settings complying with this requirement should this become law?

REP. SIMMONS (144TH): Sure. And thank you for the question, Senator. And I think it might be helpful. I'm just gonna read how the statute, reasonable effort is defined. In our statute it means any effort that would not impose an undue hardship on the operation of the employer's business. An undue hardship means any action that requires significant difficulty or expense when considered in relation to factors such as the size of the business, its financial resources, and the nature and structure of its operation.

So, I think with respect to, you know, some of the types of businesses you mentioned, I think that could certainly be part of the conversation. If it was, you know, a business that was on the road or, you know, in transit, there might be a different discussion and that business might waived from this due to the fact that, you know, that would be an unreasonable request in that scenario.

REP. LINEHAN (103RD): And let me add to that to say the reasonable accommodation, once again, is not -- it's purposefully broad and that -- let's say I was a salesperson and I was on the road and I needed to pump. Well, I'm on the road, to me, perhaps a
reasonable accommodation would be to go to a public building that does have a nursing facility and then the reasonable accommodation on my employer would be to ensure that I received my 30-minute break.

So, you know, there's -- basically, the term, "reasonable accommodation" and "undue hardship," to me are two terms that facilitate conversation between the employer and the employee. So, we are not narrowly defining that you must provide A, B, and C as opposed to let's talk about what is a reasonable accommodation in regards to these items. I believe there's a difference there and it allows for this conversation to happen between employer and employee.

SENATOR MINER (30TH): And if I could. And so, if there's a question about the reasonableness or whether or not an employer has demonstrated their inability or they don't believe it rises to the level - I mean, they're willing to do certain things, but there's a disagreement. What's the process in the bill that that gets adjudicated so that there's some final determination?

REP. SIMMONS (144TH): Thank you for that question, Senator. And essentially there's two state statutes that would apply, would be our Safe Labor law and our state's Antidiscrimination law. But the main process for the purpose of the business would be to go through the Department of Labor. And there's actually, you know, very helpful links already on their website with information and numbers to call if businesses had those questions.

SENATOR MINER (30TH): And so that's where the appeal would be brought, to the Department of Labor?
Through you, Madam Chairman.

REP. SIMMONS (144TH): Yes, I believe it would go through the Department of Labor and CHRO may also have a role in certain cases as well.

SENATOR MINER (30TH): And so, lastly. So -- not again, not understanding the process, or at least not being aware of the process. Under the CHRO provision, is it like a dual track? Is there a complaint filed and an appeal filed at the same time? Or does the appeal run and then a complaint gets filed? Or is there no complaint, they're all just appeals?

REP. SIMMONS (144TH): We can certainly look at that exact information and get back to you on the exact process for that. But I believe an appeal is filed through the Department of Labor. And I should also mention that the Fair Labor Standards Act, federally, would also apply as well.

SENATOR MINER (30TH): Okay. Thank you. Thank you, Madam Chairman.

REP. PORTER (94TH): Thank you, Senator Miner. Any further questions or comments? Well, I'd just like to say thank you as well. Echoing what Representative Pheanious said, as a mom who breastfed both her children, one being a premature baby, I know the importance of breastfeeding and the difference that it made in their lives growing up, combating the issues that you described. That it helps ear infections and all of that stuff. Just making them healthier babies. And it's also great for the mom, right? We know what it does for the body. It helps us snap back. So, thank you so much for raising this issue and bringing it to the
foreground and I'm hoping that as a committee we can work on this and get it done this year. So, thank you.

GROUP RESPONSE: Thank you, Representative. Thank you.


REP. MCCARTHY-VAHEY (133RD): Good afternoon, Representative Porter, Senator Kushner, Ranking Members, and esteemed members of the Labor Committee. It is my tremendous privilege to be here on this Valentine's Day, as the Chair mentioned earlier, the labor of love is what all of your doing. I'm here today to testify in support of Senate Bill 1, and House Bill 5003, implementing a paid family and medical leave program.

And I recognize that there are many people here today to testify in support of this bill, many who will have compelling stories and in addition will probably be more of the technical experts on the bill. But I'm here to stand in support. Each one of us are -- were born into families, are members of families. Each one of us will die as part of a family. We needed help when we were born, as we were talking about earlier. We may need help and support when we die.

I'm here today because I am a person who has tremendous privilege, education, resources, and social supports, and I know that in my own life, as an employee, and at the birth of my third child, it was a point and time where I needed and ended up needing to leave work. And I sometimes wonder if the option of the paid family and medical leave over
that period of time would've been available to me, would it have impacted our family? And if I think about that kind of impact for me on a personal level, how much more of an impact it is for those who don't have the type of privilege and social connections that I do.

This is a bill that will keep women and men in the workforce. It will allow families to navigate through the difficult situations that they face with compassion and with dignity. And it is a bill that, as we know, is paid for by the employees and I think that that is an important part of the program. That it is an insurance program that employees can pay and have that opportunity. So, I'm very grateful for the opportunity to be here before you and I'm grateful to be here with so many of the advocates who are here today in addition. And I welcome any questions. Thank you.

REP. PORTER (94TH): Thank you, Representative McCarthy-Vahey. Any questions or comments from the committee? Yes, Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. So, you know, we've had language on this bill or something like this a number of times and as I read through the language this year it seems as though there are currently some gaps in it. So, when you say that you are here in support of paid family and medical leave, is there a limit to which you may not be in support of it? And so what I mean by that is, the percentage that an employee may be required to pay into the fund, the limits to which the tax or whatever you'd like to call it on an employee could be brought about by the Labor commissioner without any ability to appeal? I'm trying to understand --
I'm trying to gauge what people's kind of temperature is in terms of support. Is it almost open-ended or are there some limitations you think at which, whether they're your constituents or my constituents, may say, all right, it's time to get off the train?

REP. MCCARTHY-VAHEY (133RD): So, that's an excellent question. And as I mentioned, here I am, the very first person to begin this dialog with all of you and it's, as you said, an ongoing dialog. The half a percentage deduction, a payroll deduction, is -- it's an insurance payment and one that in the method that it's being looked at with a kind of universal application would help to provide an opportunity for all workers.

Your question and what you're asking me is what are the limits to my support for this, and that's a good question. But at this point, the way that this conversation has moved forward, which is the onus really is on the employee, I think that that's a compromise in many respect. And I'm certainly willing to continue to engage in the dialog. I don't think it's unlimited what we can ask employees to contribute, but I certainly do think that a half a percentage of weekly earnings is a reasonable accommodation. And I think -- there are some folks who have made the argument that this is an insurance program that you may or may not take advantage of. But the vast majority of us at some point and time will be impacted, as I said when I testified, by some kind of family life event that may well necessitate that we take advantage of these programs. So, I remain open to the conversation, but I think that a half a percentage point is very reasonable.
SENATOR MINER (30TH): Thank you. Thank you, Madam Chairman. So, on line seven it says employed by an employer or not currently employed. So, I mean, I can think of a number of questions as I read through this language just in that little segment I think. So, if you're not currently employed, but collecting unemployment, you could theoretically have a compounding, meaning that you would have the benefit plus the unemployment compensation.

REP. MCCARTHY-VAHEY (133RD): So, again, as I mentioned, I think there will be others who will testify after me who will probably be better experts in the language. But my understanding is that you are not going to be receiving dual benefits at the same time. I'm certainly happy to be corrected later by others, but that's my understanding.

SENATOR MINER (30TH): Thank you. Thank you, Madam Chairman.

REP. PORTER (94TH): You're welcome. And that is correct. It just cannot exceed what your normal pay is. Any further questions or comments? Senator Miner.

SENATOR MINER (30TH): So, Madam Chairman, those are -- respectfully, those are two different things. So, it's conceivable probably in the realm of some where an unemployment compensation and some compensation out of this fund wouldn't exceed your total normal compensation, but that's not singularly eligible. Those are two different things. So, maybe as we move this forward, we could have that conversation a little more in depth. Thank you.

REP. PORTER (94TH): Absolutely, Senator Miner. Any further comments or questions from the committee?
Seeing none, I would like to thank you for your time. Have a great day.

REP. MCCARTHY-VAHEY (133RD): Thank you very much.

REP. PORTER (94TH): You're welcome. Next up we have Senator Paul Formica and Senator Somers. Okay, I had Senator Formica listed for S.B. 360 and then right underneath that we had Senators Paul Formica, Heather Somers and Henri Martin for Senate Bill 356. Are you guys gonna testify on both bills?

SENATOR FORMICA (20TH): Good afternoon, Madam Chair.

REP. PORTER (94TH): Good afternoon.

SENATOR FORMICA (20TH): Thank you very much. I'm sorry to be confusing this afternoon. We were just gonna talk mostly about 356 and make a quick comment on 360, which is the other bill, which will take a short time. So, mindful of the committee's time, I'll do whatever is best to your suggestion.

REP. PORTER (94TH): You're free to speak on both bills. I was just trying to clarify how we're doing it. So, take it away.

SENATOR FORMICA (20TH): Thank you so much. Good afternoon, Chairman Kushner, Porter and Ranking Members Miner and Polletta. Good afternoon. Thank you for the opportunity to come and testify to you today on S.B. 356, which is AN ACT REQUIRING A STUDY CONCERNING A GERMAN APPRENTICESHIP AND TRAINING PROGRAM.

We all know what's been happening in the State of Connecticut. This bill attempts to provide for a more in-depth look into how we can transition in to an apprenticeship program that's similar to the
successful programs that are occurring both in Germany and Switzerland. Here, in Connecticut, we need to make sure that we show to both the workforce and the business community that we're serious about providing an alternative education path that provides students with skills and also people that switch careers perhaps midlife.

These multiple paths to employment do not necessarily involve higher education. And we're scheduled to speak to the Higher Education Committee on another bill which would help push this along. And I would suggest that, currently, schools are rated on the amount of success they have moving students to higher education, colleges and universities. There's no spot yet to determine a rating for apprenticeship programs in that mix. So, we hope to provide for that opportunity so that we can transition people to a good workforce. In Germany and Switzerland, these opportunities exist for a couple of days of work, a couple of days of higher education. It's a joint public-private partnership and it's very successful.

We're doing that with manufacturing here, but we think the purpose of this bill is to expand it into other industries and to raise awareness that this possibility has happened. For example, that I just gave, there's a number of guidance counselors who don't talk about trades, who don't talk about moving through the community college system because they're more mindful of what's happening in higher education.

So, that's what we're here to talk about. We hope that this committee will consider moving that forward, because we think there's a big, big need.
It's been successful in both South Carolina and Virginia, here on multiple industries. And we hope to be able to move Connecticut to the next level and fill some of these job openings that we have.

SENATOR SOMERS (18TH): Yes. Good afternoon to the Chairs and Ranking Members and committee members. I am here to speak on S.B. 356, which is the potential study requiring us to look at what other countries do for apprenticeship programs. And I spent one week a month for my career overseas, so I have been able to see firsthand what other countries do as far as apprenticeship programs for their young people.

And in many of the countries that we're speaking of here, Germany and Switzerland, they have very unique programs that they work with industry to train their young folks. There is some differences. They do tend to track their young students by fourth grade, but by fifth grade equivalency here. Students are exposed to trades, different technologies, and they are active and they -- once they enter into the apprenticeship program, as Senator Formica was speaking to, they work a few days in industry and then they go to school on the other days. They actually do go to school on Saturday too, which is I know a lot different than here. And they take public transportation to school.

But I think it's an opportunity for us here in Connecticut. One of the things that I have been very focused on is similar to what Senator Formica had said. We rate on how many children we send to college and there's this big push for college. And I know that my daughter -- older daughter would've been served much better should she have gone to a technical high school or been able to get herself
into an apprenticeship program. And I think that we are actually leaving kids behind.

It's a disservice for some children in the fact that they're not provided a skill. I think it's our responsibility, as the State of Connecticut, to educate. But education doesn't have to mean going to college. It means giving you a skill that you have that you can grow upon to be able to support yourself and get a good-paying job. And if we can look at what other countries are doing, coupled with states - South Carolina and Virginia, that have looked at these models, we could provide opportunities for kids that have no opportunities now.

And things that are on these tracks are things like audiologist, cardiovascular technicians, dental hygienists, clinical officers, quality inspectors. These are good, high-paying jobs. And I think that right now, because we have a shrinking workforce here in Connecticut, if we went to maintain our younger people that are graduating, this would give them yet another option that they could have. They could enter into these programs, graduate with a certificate, be able to go into a good-paying job and not have to incur the debt that college leaves so many of our young people with. And again, if they want to continue on in college, that would be terrific, if that's their choice. But we're not leaving them behind. We're not giving them the option of the military or college. There's something else in between. And it gives us an opportunity, as Connecticut, to talk about the fact that trades and other jobs are good, quality-paying jobs and that there are opportunities for all.
So, I strongly support this effort and I hope that you will consider moving this along because it is just a study and I think we can get a lot of good out of it. Thank you.

SENATOR MARTIN (31ST): Good afternoon. I am State Senator Henri Martin and I'm here also to support S.B., is it 365 -- 356. I've been involved with my local chamber of commerce for quite a few years. I grew up in a construction family business. After graduating college, I went home to the family business. And currently I am a real estate broker in the Bristol area.

What I saw on the -- in the -- while I was on the chamber board for many years, manufacturing businesses, in particular, and trade businesses were battling to keep the technical schools open when budget cuts were threatening for their closure, having won that battle. And I think all of us can say that if you go to any technical schools today, they're filled and there's a high level of demand for them, for spaces, actually.

But today's battle is really a lack of supply in our skilled workforce. You know, we hear -- we've heard from the manufacturing sector there is between 11,000 and 13,000 current jobs that are available for high advanced manufacturing skills. In addition, which is somewhat off the radar, and the reason why we are here, is that there's an additional 25,000 jobs in health care, finance, as well as the architectural and engineering vocations alone. And that's not even counting the trades.

So, what we are experiencing is a potential employment crisis ahead of us. In the past few years, the manufacturing sector have taken the lead
with local chambers and community stakeholders in developing various apprenticeship programs. They've been very successful, to a point, where in 2016 this legislature charged the Commissioner of Education in collaboration with the Board of Higher Ed to establish a committee that was made of the Department of Economic and Community Development, the Labor Department, the Center of Advanced Technologies, technical high school advisors and representatives of the business and manufacturing community specifically. It compiled a catalog of programs throughout the state of these apprenticeship programs and it analyzed and it came up with some findings. And it compiled a catalog, like I said, of the programs that existed in the state. And it analyzed whether these current programs were meeting workforce needs.

One of the committee's conclusions reported the students in Connecticut manufacturing training programs to have increased opportunities for work-related experiences prior to employment, and that is inters -- provide internships and pre-apprenticeship and apprentice programs. It also concluded -- another conclusion that they had was it stated that manufacturers -- it stated this -- that the need for developing manufacturing as a career in public school systems, advocating for manufacturing careers and promoting manufacturing as well as to the community stakeholders. And they mentioned getting to the children in middle school as well as the high schools and then eventually connecting them with our higher education.

This committee was specific by -- was specific to manufacturing only. And this bill, though, is looking to expand that apprenticeship program to
other careers -- to career sector. And we really don't have to reinvent the wheel. We can turn to the models that are in Europe with Germany and Switzerland that have already had this into play and who are currently preparing their students for the work field.

So, I think I lost my last part of my notes. But I think you're getting the gist of what we're trying to accomplish here. Let's put a study together. Give us -- gather some information so that we can develop our apprenticeship program so that we can match the needs to the workforce needs, to the business community, that have the need for these highly-skilled jobs.

REP. PORTER (94TH): Thank you. I know that Senator Formica was speaking of South Carolina and Virginia; I believe you said are doing this. So, can you tell me what has been the impact on their economies as a result?

SENATOR FORMICA (20TH): Thank you, Madam Chair. They're showing great success in moving people forward into this program for apprenticeships. So, the economy -- businesses are getting people that are qualified. Students are getting the opportunity to be trained and get a good paying job. So, it seems to be -- it seems to be doing exactly what it's supposed to do.

REP. PORTER (94TH): Okay. And then, can you tell me how many people take advantage of or participate in Germany's apprenticeship program?

SENATOR SOMERS (18TH): Yes. About half of the students that are in high school are tracked. They are -- they have a different system. So, in fourth
grade, there's a decision to track the apprenticeship program way or to go university. You can crossover. It's not as -- it's not an easy process, but it can be done. But you could take the model of the apprenticeship program; bring it into a standard high school even if you wanted to. With businesses, with health care if it's -- whatever it may be that you -- we find is the most important for that particular area, and you can overlay it with a standard, traditional high school education. But the model would be based on the criteria, the curriculum and the interface between the business that that person then goes to work for and becomes an apprentice for X amount of time.

The benefit that you have is, not only do they teach the skills of, whether it's a trade or it's a health care, like a; what do they call it, occupational health area, but they also train the individuals on things like customer service - how do you look somebody in the eye, how do you deal with a difficult client. Because what they have found is this day and age everybody looks at their phones. Nobody talks to one another. So, even just the simple skills that all of us learned as children, they have to retrain the generation now because they're not used to talking on the phone, they're not used to having difficult conversations. So, that coupled with the apprenticeship that they get in the area really makes them a ready-to-go employee that has the foundation they need to be successful.

And it also really has changed. If you go to Germany or Switzerland, if you're a waiter, your job is revered. It is not looked down upon. It is not, you know, ridiculed, like, oh, you're just this. Every job has its place and is revered and I think
that's something that we need to do a much better job at here in Connecticut and actually throughout the country. Just because you have a college degree doesn't mean that you are going to be in a better place to find work than if you went through an apprenticeship program. Because you can have a wonderful job, you can earn great money, and you can have a great life. And I think if we show that, we can also change the conversation that's happening in the high schools because the guidance counselors are push, push, push for higher education.

And from a mom who just finished with two older ones going through college, it's not fun to look at the debt that they have to, you know, incur. And I think for us, as a state, we would be giving students choices and choices that can lead them to great careers. We just have to think of things differently. So, having an opportunity to look at what other states are doing and other countries are doing in group task force or a group study, we could pick and choose what works and, you know, what we think would work for us here in Connecticut best and we could have a Connecticut model of apprenticeship.

REP. PORTER (94TH): Thank you for that. And can you tell me how many participate in the Connecticut program?

SENATOR SOMERS (18TH): For manufacturing?

REP. PORTER (94TH): For apprenticeship programs.

SENATOR SOMERS (18TH): I don't have an answer for that. And we can try to get that for you. I do not know that.
REP. PORTER (94TH): I'm just asking to kind of see what the comparison is. You know, what they're doing in Germany and --

SENATOR SOMERS (18TH): Oh, you're saying what the split is? I don't -- I'd have -- I don't have that information. I could try to get that for you. I do not know that. Senator Formica?

SENATOR FORMICA (20TH): I have a number from the Department of Labor. There are 4,200 apprenticeship sponsors, but that doesn't mean that they're all full at this point. So, we think that there's an opportunity to expand the program as a result of that. And the numbers I was looking when you asked the question for a few minutes ago and in South Carolina the expansion has gone from 90 participating companies to 670. So, that means it's working for the economy and it's working for labor.

REP. PORTER (94TH): Thank you for that. Yes.

SENATOR SOMERS (18TH): Representative, were you asking how many students in high school go with higher ed versus into --

REP. PORTER (94TH): It was the same question that I asked you for Germany. How many people participate in the program? You told us the splits, so, I mean.

SENATOR SOMERS (18TH): But I don't have for the United States. I wouldn't be able to. We don't really have a comparison program yet.

REP. PORTER (94TH): Okay. And my last question would be in what ways are our licensure requirements the same or different than Germany when you look at this model?
SENATOR SOMERS (18TH): Licensure for the particular occupation?

REP. PORTER (94TH): Yes. Like, in the apprenticeship program, certifications, licensures.

SENATOR SOMERS (18TH): They definitely would be different, but we'd have to look at what the programs are that maybe fit the needs for the communities that are looking to hire individuals. And I think that we necessarily shouldn't change our standards for what those occupational certificates are. We can -- I think we can certainly look at how to implement the programming to get those folks to the same level that we expect here. So, I'm not necessarily saying we have to take the German example to become a quality inspector, but I think we can look at how they implement the training and the education into the high school system and then take what we value as standards here and try to work it back that way. If that makes any sense.

REP. PORTER (94TH): Thank you for that. Yes, Representative Rutigliano.

REP. RUTIGLIANO (123RD): Thank you, Madam Chair. Good afternoon, Senators. How are you today? First of all, I want to let you know that our servers are revered in my company. We totally revere them. When you said the word, "apprentice," that's a paid position. Correct?

SENATOR FORMICA (20TH): The German model is a few-day education and a few-day work paid position and gradually rising up so that the employee makes a great living wage and is able to transition to a full-time benefiter to that employer.
REP. RUTIGLIANO (123RD): So, I guess my point was that unlike internships, who can be unpaid at times, if they're an apprentice, they're actually receiving money to learn as opposed to just paying to sit in a classroom. Right. So -- and paying taxes. Right. Excellent. So, you know, I don't have a lot of questions on this. I'm fully supportive of it. I think it's exactly what we need here in Connecticut.

As a parent with two sons in the high school system and a business owner who has a hard time literally finding trades people to work on certain refrigeration and heating and all that other stuff, and the glut of electricians and plumbers, I can't think of anything else that we should be doing but supporting these kids, supporting this industry, and showing them, literally, that there's another path to make a good living without incurring all that debt of maybe -- well, sometimes it's legitimate for you to grieve, but sometimes it's not. But I think as a committee this is -- and as a state, this is exactly what we should be doing, showing these kids a different path and paying them while they're learning, which is an excellent way to go. So, I would encourage us to take up this bill, Madam Chairman, and I would thank you for the time.


REP. WILSON-PHEANIOUS (53RD): Yes, ma'am. Thank you. I'm wondering, at what age are you recommending that we -- you know, you mentioned that in Germany the age -- they start in fourth or fifth grade. Are you recommending an early start to these kinds of programs or would this be something that
somebody would look at in their sophomore or junior year? Or do you have thoughts about that?

SENATOR FORMICA (20TH): So, certainly, we're talking about raising the awareness at an early age and perhaps getting on path, similar to some of the manufacturing programs that are in, for example, the STEM high school in New London, to begin the path to transition toward a manufacturing career for the ninth grade. But we found that the awareness is lacking for this and everybody's kind of moved to the one direction. So, raising awareness in middle school that the opportunity exists. Manufacturing is quite a different industry now than it was, you know, 40 years ago when -- you know, when I worked part-time in a manufacturing place, so.

SENATOR SOMERS (18TH): So, I just want to add to that. In fourth grade, you're not getting paid in Germany. Just everyone. They're not that quickly earning money. No, that's when they're tracked and they're starting to be exposed to whatever the industry is. But typically you're seeing as they get higher. And they go one year of additional high school there. They're getting paid as they get higher up in the later high school years, where it becomes more intense, where you're actually doing the work when you go to the facility. But an awareness is really important because, as you know, there's not much when you go to the high schools about alternative. It's starting, but we need to try to do a better job.

REP. WILSON-PHEANIOUS (53RD): No, I think that's -- I think that it's an excellent idea. I hope it's something that the committee will begin to look at because I think there is sometimes too much of an
emphasis only one direction, which is college, and it's not necessarily right for everybody. I'm a little concerned about the tracking aspect of it, though. And that it may -- depending upon how it's implemented, it may result in someone's early decision, in say, fourth or fifth grade, that this is a kid that can't go to college and that ought to be going in another direction. And so, that's something that I think we need to look at carefully. I wonder if you can talk about that.

SENATOR SOMERS (18TH): If I can say to that. I total -- I agree with you 100 percent. That's why we -- the study is important. And I was not suggesting that we should track students like it's done. I just wanted to explain to you how it's done.

REP. WILSON-PHEANIOUS (53RD): You know we used to. Yeah.

SENATOR SOMERS (18TH): And maybe track is not the right word. It's more like the pathway. You know, because not nearly as many students go to university overseas as they do here. It's just different. Most people go into, you know, more of an apprenticeship than -- and when they -- if they can get exposed maybe in middle school to alternative, you know, careers, when they've moved higher on into high school -- you know, that's what I was saying. Depending on what the industry wants, you could very well bring that into a standard, traditional high school. It wouldn't necessarily have to be a technical high school, although it could, depending on what the industry wants.
REP. WILSON-PHEANIOUS (53RD): And I wonder too to what extent are employers involved in developing the curriculum for these kids?

SENATOR SOMERS (18TH): They absolutely would be involved. That's why it works.

REP. WILSON-PHEANIOUS (53RD): Yeah, exactly.

SENATOR SOMERS (18TH): Yeah.

REP. WILSON-PHEANIOUS (53RD): That's my concern, that some of the apprenticeship programs we have here, employers aren't involved in developing the curriculum. And so people are graduated into a program and then can't be effectively used in the business. So, I would hope that that would be an important part of it. And thank you for bringing the model forth. I think it's worth looking at.

REP. PORTER (94TH): Thank you, Representative. Yes, Representative Polletta.

REP. POLLETTA (68TH): Thank you, Madam Chairwoman, and thank you, Senator, for being here. As the son of an electrical contractor and someone who works in the trade with my dad, I understand the importance of this bill and how much it would affect the community in a positive way. So, I just want to highlight, and correct me if I'm wrong, a few issues.

Number one, I think it was touched upon, but a lot of the -- our youth that go to high school don't necessarily get exposed to the benefits of being in a trade, albeit plumber, electrician, HVAC. But the -- at least in our business, the electricians that come out as apprentice and move through the tiers as journeyman and then an as an E-2 and E-1, they're
making well above minimum wage. I mean, we have gentlemen that are working for us making over -- well over $30 dollars an hour. How -- in your opinion, this study, how would it benefit and encourage the youth to look elsewhere? Rather than higher education, maybe look into the trade?

SENATOR FORMICA (20TH): So, I think other than Senator Miner, I may be the only person here old enough to remember shop in high school, wood shop and metal shop and auto shop and all of that. So, the -- so, we saw what happened with that. As the move to, you know, college prep really accelerated, the awareness of those types of alternatives really waned. And to your point, we need to create the opportunity so that people know that these are not just minimum wage jobs, that there are other opportunities, that that they can go and learn a trade and move.

And the numbers we have are that 53 percent of job openings are middle-skill positions, which is the ones that you're referring to, and they require less than a four-year college degree, but more than a high school. So, this is the middle gap that we're trying to figure out and raise awareness. And if we can do that, it keeps your company in business and it keeps resupplying the job force and it keeps the customers happy as well.

SENATOR SOMERS (18TH): I think one of the ways that we can, you know, market, I'll call it that, market the opportunities that are available but people are not aware of them, is when we do this study, to look at that. That could be something that is looked at within the study that said okay if we pick and choose from these models what we think would work
the best here in Connecticut, let's come up with a program to market this because this is a great idea and students need to be exposed to it. And I think that that's something that the study could also speak to when we bring in industry and look at the other models. I think your point is very well taken.

REP. POLLETTA (68TH): Every child, every student is different. So, so many students go to high school with the aspirations of, you know, going to college and becoming a doctor or a lawyer and whatnot. And then there's another tier of students that go to high school and say maybe I'm better worked to working, as we say in the trade, working with my hands. Maybe I'm a carpenter, you know, maybe I'm a mechanic, I'm an electrician. So -- but there was always this, like, stigmatism that if you went into the trade, it was somehow a failure because maybe you didn't go to college.

But on the flipside of it, working in the trade myself, I see these individuals as highly skilled, highly qualified, respectful. They come out of school, they want to work. And then as they advance and they can prove themselves over a number of months or even a year or two, now we're bumping their pay up. And while some of their friends that went to college are making $22, $23 dollars an hour, and we all know it's hard to find a job in Connecticut right now, these individuals are making $25 dollars and $30 dollars an hour and they're happy. So, I think we should do everything we can to advance this so that way we can encourage more of our youth to jump into the trade. Thank you.

REP. PORTER (94TH): Representative Smith.
REP. SMITH (108TH): Thank you, Madam Chair, and Senators, welcome. I just want you to know that if you saw the toolbox that I made in metal shop way back when, you'd be -- you would understand why I went into a different profession. (Laughs) But it was a good part of the curriculum that I was forced to learn. And coming from a -- as the son of a plumber, I learned the trades very well over the years and certainly respect them.

And it sounds like -- just listening to the testimony, it's kind of fascinating that there's some experience with the Germany model with Senator Somers. I'm not sure. Have you been over there to witness it firsthand? So, it's a work in progress. And how long have they been doing that? Do you know?

SENATOR SOMERS (18TH): Oh, it's been going on for years there. It's not a work in process. It's the way they do business -- or the way they educate. It's very different than here. But again, there are some things that probably would not go over well. Like, at fourth grade -- it's been a few years since I've been there. But the decision is made, you know, Heather's gonna go this way and Paul's gonna go this way. That's not probably how we would do things here.

But that's why I'm saying you can pick what we feel are the positive, good elements of the apprenticeship program, for a lack of better words, what they call it. It's how their folks are trained to go into the fields and the trades and, you know, they are working in the system and when they graduate, they already are skilled when they go into work. And they have to go through another, you
know, apprenticeship, so to speak, program when they get out. But it provides them with an opportunity for kids that, you know, it may different there where they determine who goes to university, but kids to have a skill. And that's where I think we're leaving kids behind. You know, I tend to say we have this, "overeducated," but under-skilled millennial generation. And actually, I probably would -- you know, even further back.

And I graduated from high school a long time ago, but I don't remember really getting the opportunity of hey, you could do this, you could, you know, go here and become a radiation tech. You could do this. It was -- the push was you're gonna go to school. And if you're not -- you know, smart as you should be, we'll find a school that you can fit into. And I think we need to change our thinking because, you know, as Representative Polletta was saying, we have a lot of kids that have graduated from very expensive schools that are struggling to find jobs. They're working at, you know, at three different jobs. And there's -- you know, they have said to me, jeez, I wish I knew that I could've done this.

I'll just share. I have -- my husband's a physician. I can't tell you how many times he's said, I wish I studied heating and cooling. Because when you call somebody in on overtime, you actually get paid. I'm not on call 24 hours a day and not get, you know. So, there's a big opportunity. I think that we could be a model here in Connecticut as, you know, the Connecticut Apprenticeship Program. Besides just manufacturing, it's allied health, it's finance. It's other areas too that we could look at by the demands that industry needs.
And then we would be serving both the students and
the industries that we so desperately both want to
stay here in Connecticut.

REP. SMITH (108TH): Well, thank you for sharing
your experiences with us here today at the committee
level. The South Carolina model, how long have they
been doing it?

SENATOR FORMICA (20TH): I have figures from 2007.

REP. SMITH (108TH): So, there's some good history
there then for that as well.

SENATOR FORMICA (20TH): Which is really why we're
not saying let's jump into this and create the
program. Let's jump in there and have a study.
Let's balance the models from Europe, Germany and
Switz -- and the Swiss, and then let's see how they
compare with, you know, Virginia, Illinois, South
Carolina, models here in the States. Which someone
asked the question about licensing, you know, there
may be the balance of what we need to do practically
and move it forward. And that's why we think it
shouldn't have to be a long study, because it's
working and it's out there and we have all these
jobs ready to be filled. And so.

REP. SMITH (108TH): Yeah, it would be interesting
to see the South Carolina model because my colleague
at the other end of the -- I guess it's not a table.
Whatever this is, at the other end there, who left.
She was concerned about the tracking, as I would be
too, where you -- you know, the Germans are very, as
you know, they're very black and white. Not in
terms of color, but, you know, they make a decision
and they go with it. And that's it. And I'm German
so I can say these things. But here, I mean,
especially at fourth grade, I'm not sure that we can identify somebody as, well, you know, you should go into trades and you should go to the university. But certainly, it would be interesting to see how South Carolina has developed their tracking procedure. I'm sure there has to be some sort of impetus to get somebody towards the trades. Have you looked into that?

SENATOR FORMICA (20TH): Just -- not specifically to that. But just to have little quick paragraph from South Carolina, which offers their apprentice program comprehensive assistance to employers, sponsors, including employer tax credit, hands-on administrative assistance from apprenticeship consultants and access to the state's technical college system. And this system actually encourages employers to participate and that's why I think they've grown so much. So, I don't know if that was a direct answer to your question, but it kind of gives you a backdrop of how involved South Carolina is in this public-private partnership.

SENATOR SOMERS (18TH): And if I could speak to you, I probably have -- I don't want everyone to be focused on -- it was my word when I said track. I probably shouldn't have said that. I'm not sure how else to describe it, but they -- that's when they make their decision there. I'm not suggesting that we do that here. But in fourth grade, that's when, you know, you go pathway; I could use that word, versus another pathway. And you can cross over, but it's not as easy in that particular country. I'm not suggesting that we do that here. I think that's way too rigid.
But I do think exposing students and young people to the fact that there are other alternatives in a career at a younger age is a really important thing to do so that, you know, their young minds, they can absorb that earlier and they don't have any preconceived notions that you need to go one way or the other, but they're exposed to more and they understand that you can have a great life as an oysterman, or you can have a great job working as a dental hygienist. Those are things that they're not as exposed to and I think they should be at a younger age.

REP. SMITH (108TH): So, I would agree with you, but I think it's not only the student that we have to educate and market because, you know, you have a lot of parents out there that maybe did not go to a university, did not get a degree, and they want for their son or daughter to go, despite the fact that it may not be in the best interest of the child. But, you know, they have the mindset that -- listen, a college degree is a great thing, which it is, you can't deny that, but it doesn't necessarily lead you to a career path that -- of his or her choosing.

So, I think we have to educate society as a whole and say listen -- like, I think Rep. Polletta talked about it. Get rid of the stigma that if you become a trades person or work for a manufacturer or whatever, there should be no stigma behind that because it's a -- I mean -- you walked in somebody's manufacturer facilities, its' not what you think. It's not what I worked in and probably you did too as a kid, where you had the machines going. Now, it's all computerized. It's -- you know, they're sitting there with laptops running everything. It blows you away when you see these
things. And we have to get rid of that stigma that that's a bad job because, really, that's a great job and they pay great benefits and they pay great wages. We just can't get the people there. That's the problem. That's the concern I have.

And the other concern I have is, you know, Connecticut is great at doing studies. Boy, we -- you know, you sit in the House of Representatives, there was a certain representative that used to like to talk about studies, but he had a point. We do so much studying, very little action. I hate to see this study go forward without any action. So, a year from now we come back, it sits on a shelf somewhere and nobody looks at it, and ten years from now we say we should do a study. Oh, we did one ten years ago. Do you see my point?

SENATOR SOMERS (18TH): I see your point. I actually had a biotech manufacturing company for 25 years myself, so I can attest that manufacturing is super cool. It is high tech. It is an exciting career. I -- there's -- it's -- we had probably 100 people working for us. It's a great career and I think we need to expose more people to it. And I agree with you on the study. Coming from that industry, you don't want to study something and stick on the shelf. Maybe we should call it a work group, to actually have a deadline that we will come back to the Labor Committee and report our findings.

REP. SMITH (108TH): Well, there's several people on the committee that would love to go to Germany or Switzerland. (Laughter)

SENATOR SOMERS (18TH): And you know I think if we had someone like Representative Polletta out there as our apprenticeship czar, so to speak, talking
about what it's like to have a career and that -- I mean, he's so passionate, the way you speak. That's what we need. Young people out there talking to other people, not -- no offense to, but like the guidance counselor who is sitting in his office that, you know, gives you the books, I guess. Not books, but looks on online of where you want to go to school. That's what we need because that's what will get younger people excited about the opportunities. And I think we can do that. And there's nothing that I want to do less than do a study that goes nowhere or has no findings. That's not my personality and I find that very frustrating here also.

REP. SMITH (108TH): Well, thank you for coming up and sharing your ideas and thoughts. It's much appreciated. Thank you, Madam Chair.

REP. PORTER (94TH): You're welcome, Representative Smith. Any further questions or comments from the committee? Yes, Senator Formica.

SENATOR FORMICA (20TH): Thank you, Madam Chair. You have been so gracious with the time that you've afforded us. We appreciate that very much from the committee. But I just want to -- if I may say some -- one quick comment about 360?

REP. PORTER (94TH): Absolutely not. (Laughter) I'm just kidding. I couldn't resist. Go ahead, please.

SENATOR FORMICA (20TH): Thank you. S.B. 360 is AN ACT CONCERNING THE PROCESSING OF WORK OPPORTUNITY TAX CREDIT APPLICATIONS. This is a program the Labor Department handles now. It is a federal program. There is no cost to Connecticut. This can be an economic development issue for the State of
Connecticut. And in essence, the work opportunity tax credit includes how credit is calculated for employers for SNAP and TANF recipients.

So, this is another job population that we're trying to push forward. The issue is that the Labor Department is two years behind in processing these applications, so the federal tax dollars are not being utilized properly here in Connecticut. I know that there are other people behind that are gonna testify in greater depth on that. But I just wanted to lend my name and my support to moving this along. This bill just asks that we kind of move this along in a little faster way and that's what this is about. So, thank you very much for the opportunity today, Madam.

REP. PORTER (94TH): You're very welcome. It's been a pleasure having you before us and thank you for your testimony.

SENATOR FORMICA (20TH): Thank you very much. Thank you.

REP. PORTER (94TH): You're welcome. And we have definitely exceeded the hour for elected officials, so we will be moving back and forth at this time, and first on the public list will be Eric Gjede, CBIA. Good afternoon.

MR. GJEDE: Good afternoon. My name is Eric Gjede. I'm here on behalf of the Connecticut Business and Industry Association. And while I know it is Valentine's Day and as much as I love all of you, I am here today to oppose Senate Bill 1 and H.B. 5003, the paid FMLA bills.

I want to make it perfectly clear that we do now and we always have supported employers that voluntarily
implement paid family and medical leave program. But, you know, I can tell you that more and more companies that can afford this benefit are providing it. And in a perfect world, during a better economy, a lot more companies would provide it on their own, especially if there were some incentives.

But what you're asking from us to take on in these two bills in terms of costs and burdens simply cannot be done by a significant number of Connecticut small businesses. In fact, you could say that we oppose this bill -- or these bills for the same reason that the State of Connecticut, the largest employer in the state, opposes providing its own worker with paid family and medical leave.

This bill imposes a significant array of new administrative burdens required of businesses. In fact, several years ago, DAS noted that paid family and medical leave would be a burden not just to them, but to every state agency because the human resources staff at all of the covered employers would still need to track the time that employees are absent, manage the employees' entitlements under federal FMLA and other state, federal leave and disability laws, communicate frequently with the system administrator to verify whether absences are being appropriately tracked and counted against the various entitlements and whether medical documentation supporting the leaves are consistent, and educating the workforce about various entitlements.

On top of those burdens, if this proposal is enacted, businesses will have to figure out how to handle the issue of absences in their workforce, whether it's intermittent or for prolonged absences.
This too was a concern for the state back prior to their exclusion from this program. And as OFA noted in their fiscal note in 2016, the bill's expanded eligibility for FMLA is expected to result in an increase in the number of state employees out on leave. Currently, it is estimated that between three percent and six percent of executive branch employees are on family and medical leave at any given time. It goes on to say this bill would result in costs to certain state agencies with large numbers of employees and the agencies would incur overtime costs to cover shifts for those employees taking leave under this bill's provisions.

Despite claims to the contrary, this bill also imposes a significant financial obligation on businesses. Businesses will be responsible for providing nonwage benefits to employees absent up to three months every year. Further, years ago, DAS also noted that although some of the costs associated with the benefit may be covered through payroll deduction from employees, payroll deductions generally do not cover the cost associated with increasing the length of time and number of employees who are out of work and the cost associated with the employer's increased administrative responsibilities.

There's also an indirect cost to businesses as taxpayers of this state. So, over the past few years, the Department of Labor has estimated that the cost of starting this program is around $13.5 million dollars with $18 million dollars in ongoing costs to pay for the 120 new state employees needed to run the program. And then just last year, they updated this testimony to note that it would likely require additional costs and personnel not
previously contemplated and it would take considerably longer to implement. Further, if other states experiences are instructive, the IT infrastructure for implementing this program could be in the tens of millions of dollars that our fiscal notes had previously not contemplated.

In closing, I'm only asking that you consider my concerns the way that you've considered the current concerns expressed by the state in the past. You, as stewards of the state, have virtually unlimited power to tax and spend. The state doesn't have to worry about needing to be competitive in national or international markets the way businesses do. And even with those advantages that the state has, lawmakers opted to exclude the state from this mandate. And why? It's because at the end of the day, it was gonna cost too much to impose and impose too many burdens and impact the ability for the state to provide services.

The business community is here to let you know that we oppose these bills for the exact same reasons that the state has historically opposed it in the past and we urge the committee to take no action. And I realize that there are a lot of people behind me, so I'll stop there and I'm happy to take any questions that the committee may have.

REP. PORTER (94TH): Thank you for your testimony. Senator Kushner.

SENATOR KUSHNER (24TH): I have a couple of questions. I'm just wondering, has CBIA -- how many members do you have or businesses that belong to CBIA in the state?
MR. GJEDE: We have many thousands of small and large, particularly small, business members in the State of Connecticut.

SENATOR KUSHNER (24TH): And have you ever surveyed them, those business members of your organization, on the issue of paid family leave?

MR. GJEDE: Actually, we haven't published the survey yet. And we just recently did do a survey and 80 percent either had significant or moderate concerns about this. It was -- sixty percent was the significant concerns and then another 20 percent on the moderate. So, yes, they are absolutely worried about this. And in fact, I could tell you, I have never heard from my membership more on this issue in the past -- then in the past few weeks. Because it's really -- the conversation about has amped up. People are absolutely terrified of this bill and the costs associated with it.

I could tell you, just this morning, I was waiting for a meeting with a representative, to meet that representative for the first time, and I was stopped in the hall by a manufacturer who's actually priced out what this would do to impact them. They're a small manufacturer, or relatively small, 48 employees. They priced it out that this was gonna cost them at least $125,000 dollars to implement every single year. And the way they looked at it, the only choice they were gonna have is to, unfortunately, consider letting at least three people go. Now, that's just one example that I've heard and that was just today.

But I've heard a number of examples exactly like that. As people are starting to get their hands --
as it's becoming more and more of a reality, people are becoming very concerned about it, so.

SENATOR KUSHNER (24TH): Can you share with us how they came to that $125,000 dollar figure?

MR. GJEDE: I mean, I would love to and I can certainly circle back with you on that. I obviously don't have access to their books, so I don't know what their pay structure is for their folks. I know it was mentioned to me that they would need to, without question, hire another -- a person in the HR department to do just do some of the tracking that I talked about earlier to make sure that they're implementing the leave properly and in accordance with the law as proposed in the bills that are in front of us today.

SENATOR KUSHNER (24TH): So, let me ask you another question about CBIA. Do you provide a temporary disability benefit? Do you insure that product?

MR. GJEDE: We do not provide that -- I mean, CBIA, the company does provide that to I think some of the employees. I think it's an optional thing. I think there's a cost-sharing agreement.

SENATOR KUSHNER (24TH): How many employees do you have at CBIA?

MR. GJEDE: It is in the 70s, I believe. I don't know the exact number.

SENATOR KUSHNER (24TH): So, when employees of CBIA go out on leave, do they receive any kind of payment?

MR. GJEDE: They -- if they're part of that disability program, then, yes, they would.
SENATOR KUSHNER (24TH): So, it's a disability program that they purchase themselves?

MR. GJEDE: I believe that there -- I think there's a cost-sharing between the two.

SENATOR KUSHNER (24TH): And do you know how much it is?

MR. GJEDE: I don't off the top of my head. I'd be happy to provide --

SENATOR KUSHNER (24TH): Have you ever -- do you participate in it?

MR. GJEDE: I have not, no.

SENATOR KUSHNER (24TH): So, there's a cost-sharing between CBIA and the employees. And do you know how much time it allows someone time off from work with pay?

MR. GJEDE: I haven't -- I'm -- I have not taken advantage of the program, so, no, I don't. Again, all things I'm happy to provide to you.

SENATOR KUSHNER (24TH): That would be great. What about as a -- CBIA offers some insurance to its members, correct?

MR. GJEDE: Through a small group market, yes.

SENATOR KUSHNER (24TH): Okay. And do you know if that includes temporary disability insurance?

MR. GJEDE: I don't. I believe -- I don’t know. No, I don't believe so. Again, that's -- CBIA is three -- is really three separate companies. I am not part of the for-profit side. I have very little interaction with that side, so I don’t have as much information about the products that are offered.
SENATOR KUSHNER (24TH): Give me one second here.
So, you mentioned that you had done a survey recently and that you haven't published it yet, but do you have a copy of that survey?

MR. GJEDE: We are planning to publish it soon. We just haven't done it yet. So, yeah, you will absolutely get a copy of that.

SENATOR KUSHNER (24TH): Could you provide the committee with both the questions and the answers?

MR. GJEDE: Yeah. We wouldn’t provide the answers without the questions. That would be silly, so.

SENATOR KUSHNER (24TH): Well, sometimes people do an executive summary of a survey like that, and I was just curious.

MR. GJEDE: No, we would provide the exact question asked.

SENATOR KUSHNER (24TH): Great. That would be terrific. So, when you’ve talked to your member organizations about this bill, what is their chief concern? The cost?

MR. GJEDE: Both the cost and the burdens, you know. I know, again, we continuously hear and we dispute the claim that it's gonna have no cost on employers. It's absolutely gonna have costs on employers. It's going to require us to maintain nonwage benefits throughout the course of the leave, which, obviously, are becoming increasingly expensive. And again, all of the administrative burdens that I mentioned in my testimony are something that we're - - they're concerned about.

SENATOR KUSHNER (24TH): So, what do most of your member organizations do when somebody gets sick at
work or has to leave work for a medical or a family medical reason?

MR. GJEDE: I mean, that's absolutely tough to answer because of the diversity of our membership. Now, some member companies already provide this benefit. Others simply couldn't just because of the way of they're structured.

SENATOR KUSHNER (24TH): So, can you give us - was that part of your survey? Did you ask that question in the survey about whether or not they already provide the benefit?

MR. GJEDE: I don't -- we've asked that in the past. I don't remember the answer to it. I can look back, if you're interested.

SENATOR KUSHNER (24TH): Well, I think when we see it we'll know, obviously. But do you know if in the course of this survey, did you ask the employers, if they don't provide that benefit, how they deal with employees when they have to take a leave of absence for a medical reason?

MR. GJEDE: I don't believe we asked the question.

SENATOR KUSHNER (24TH): Okay. And what --

MR. GJEDE: And I think, again, it would be very different, depending on the type of industry, so.

SENATOR KUSHNER (24TH): Right. But I think it would be helpful for us to know. Because I think -- isn't it true that most companies, small businesses, large companies, their employees from time to time have to take medical leave for themselves or a family member?
MR. GJEDE: I don't dispute that. I'm just simply saying that I think for a lot of types of industries particularly small businesses, I think they're gonna have a very difficult time implementing this program the way that it's laid out in these two bills. I mean, you're talking about, you know, very small businesses here that, you know, if one person goes out for a significant period of time, let's say it's just a, you know, a company with two or three employees, that is a significant revenue loss for that company. That they are not gonna - I mean, the bills aren't gonna be halved simply because half the workforce is out on medical leave. And that's the real concern here, is that these small businesses are not gonna be able to handle the folks who are out for such a, you know, potentially long period of time every single year.

SENATOR KUSHNER (24TH): So, essentially what you're saying is right now, if somebody -- if that happens to someone right now, what would the employer do, just fire the worker and replace them with somebody else?

MR. GJEDE: No, I don't know. I mean, again, I think it would -- the type of business -- I mean, I think a lot of employers would do their best to accommodate the employee if they could, but, you know, -- I don't know what they would do. Again, it's very tough because you don't know what each type of businesses does on this. I don't know the benefits. I mean, we have manufacturers. We have convenience stores. We have some of the biggest businesses in the State of Connecticut and we have some of the smallest, so.
SENATOR KUSHNER (24TH): And I really wasn't trying to make light of that or -- and I know there was a little chuckle in the room, but I didn't -- I wasn't trying to solicit that. Because I feel like what I was trying to point out is that what I heard when talking to small businesses was that they would like to provide this benefit, but too often they can't afford to because, as you pointed out, most small businesses don't have those kinds of resources to provide this level of benefit.

And so, the main issue that they have expressed to me is concern that they can't afford the insurance costs and they feel very bad when an employee gets hit with a serious illness and has to leave to work and has no income and they can't help that person out. You know, I do believe that most small businesses are owned by compassionate people who would like to see their employees taken care of. And I would venture to say most CBIA membership organizations probably feel the same way.

MR. GJEDE: I appreciate that and I agree with you. You know, I think that they would, in many ways, try to build other flexibility into their policies and I think that we've seen that more and more over the past few years. I'm just suggesting that this one-size-fits-all mandate is not gonna work for every industry. But, you know, again, I agree with you that at the end of the day we do -- the smallest businesses are usually very compassionate. They try to do the best they can for their employees. There's no question about that.

SENATOR KUSHNER (24TH): We just have a disagreement about how best to do that. Thank you.
MR. GJEDE: We may again from time to time this session, but always to continue a dialog with you.

SENATOR KUSHNER (24TH): Thank you.

REP. PORTER (94TH): Thank you. I actually, just in listening to some of your responses to the Senator, I'm wondering have you spoken to businesses in New Jersey and California? And I ask that because they have several small businesses as well and research has shown their programs have had neutral or positive impact on businesses over 90 percent of the time. So, have you inquired of those states that have been doing this for quite awhile, you know, what that looks like and how it's impacted them?

MR. GJEDE: Yeah. I think those are very different programs at the end of the day. Certainly different from what is being proposed here. Now, those are, I think -- I believe in both of those states those were built upon short-term disability requirements that had been in law for a long time and then expanded, so. And also, I think there's a significant difference there between the benefit being offered under the bill that is before us today and what they are doing in those states. I think in most of those states there is no 100 percent wage replacement rate. I think they've done other things to help protect against fraud, which is one of the concerns highlighted in my written testimony that I've submitted. So, I don't think that we can really compare the programs apples to apples here. I think that they started very differently and they offer very -- I wouldn't say very, but they do offer different levels of benefits than what is being put forward here today.
REP. PORTER (94TH): And I'm not suggesting that we do compare or call it apple to apple comparison. But what I am saying is that what's needed is the same, is that people -- this is life or death. Let me just put it that way. People are going to work sick because they can't afford to stay home. You have people that should be going to the emergency room and going to work and dropping dead. You have folks that have children that need to be taken care of, and most times the parent will make that sacrifice and just try to figure out how to make things happen.

But you have kids going to school hungry because their parents are not working because they're not well. They're not getting paid. And we have to figure out what to do about that in one of richest countries in the world. And everywhere else besides here offers this benefit. And I just don't understand the argument that this is gonna impede businesses, them being able to do business. The businesses in this state have tremendous profits. And I'm just trying to figure out why we can't make sure that we're taking care of the people that make those profits possible.

You know, you talked about the full benefit. It's full salary up to $1,000 dollars. So, this would cover people making $52,000 dollars a year or less. But there's a lot more people making much more than that. So, that's the first thing I want to be -- bring clarity on. And yes, there is thought in everything we do. And when we look at this and looking at the states that have done it, I believe that Connecticut is positioned, not only to get this right, but to do it better. So, I do, as Senator Kushner said, believe that, you know, we may have
the same interests and want to see the same things happen, just believe that they should be done differently. But when you talk about employees paying into it and it's employee-funded 100 percent, the cost to the companies, I don't think, would amount to what you're suggesting. And if some of those responsibilities you're saying would fall as a burden onto the employer are actually some things and mechanisms that would be handled through the Department of Labor.

MR. GJEDE: I understand that, Senator. I'm simply asking you to realize the fact that there are significant burdens here. There are significant costs here. And that's why I pointed out in my testimony that those are real. Those are absolutely real. They're so real that the State of Connecticut didn't want to provide this benefit for their employees. And obviously that means that there is something significant there that they wanted to avoid that is now being asked us to pay for and us to carry that burden.

So, again, that's my -- one of my key issues here, is that you have recognized this is a -- as a State of Connecticut, as a steward of the State of Connecticut, you have recognized that this is a significant cost. This is significant burden. This is going to impact the ability of the state to do its job. And I'm just telling you, I'm here to remind you, that that's the same issues that we are here to talk about. This is going to be a cost for us. This is going to be a burden for us and it's going to impact the businesses' ability to do their jobs. So, again, that's all I'm here to remind you of. Then that's it.
REP. PORTER (94TH): And I appreciate you bringing that thought to the table, like the Senator, I've talked to several people, not only in my district, but around the State of Connecticut as I was out there this election cycle that just passed, and there is tremendous support for this and there are many small businesses that have reported to me the same thing she stated. I would love to be able to do this for my employees. I just can't afford it. And in other instances, when we look at other states that do this, the employer actually contributes to the program. So, I mean, there's ways to get it done that we're not asking to, you know, have the employer do. Because we understand that there will be some burden, but as much of the burden that can be relieved has been relieved in this bill.

And I don't you can put a price on people's lives and on their health and on family relations. And I don't believe it is right that people should have to decide whether they're gonna go to work for a paycheck or stay home and take care of themselves or a loved one or a sick child or a sick parent or someone that falls into the criteria of the benefit. So, I'll leave it there. I know --

MR. GJEDE: Senator -- I'm sorry, Representative. I apologize. I give you a promotion there.

REP. PORTER (94TH): Yes.

MR. GJEDE: You know if that's --


MR. GJEDE: I should've just stepped in that. My apologies. And you know what, I'll leave it there. I'll stop my comments there, so.
REP. PORTER (94TH): Thank you. Senator Lesser.

SENATOR LESSER (9TH): Thank you, Madam Chair, and as a newly minted senator and former representative, I'm not sure yet that's a promotion or not. I'm still -- the jury's still out on that. A little hopeful, hopeful. I'm excited to be here, but. No, thank you, Mr. Gjede, for your testimony and I just sort of wanted to follow up a little bit on some of the line of questioning from both of the chairs of this committee. So, thank you, Senator Osten. So, you mentioned that you'd surveyed your members and this was a persistent source of concern. Can you just speak a little bit more to that, how you know that this is an issue that your members are against?

MR. GJEDE: I mean, I could only gauge by the response to, again, that survey. But that survey result is not anything new. You know, we've looked at this exact thing in the past. We asked people, you know, do you support this, do you not support this, and, you know, we consistently -- when it's explained the cost potential to employees and the potential cost to employers, we consistently see that there is an opposition to it amongst our membership. And I don't think that's alone.

I think you've -- I don't know if it's been posted yet, but I think that -- or maybe you actually -- maybe you received a coalition letter recently, not just from my organization, but there was 40-plus other organizations that signed on to it that said the exact same thing; we're very concerned about the way that these bills are gonna be implemented and how rich the benefits are. So, while CBIA certainly, you know, has a survey question, I think
the other 40-plus organizations clearly have talked to their membership and feel similarly.

SENATOR LESSER (9TH): And you've also, I assume, talked to businesses in other states since Connecticut is far from the first out of the gate on this. There's states across the country including every state surrounding us has already moved forward on this legislation, as have states on the west coast and across the country. We're seeing states provide this benefit to their citizens, and many of which are asking employers to make a contribution. And Connecticut's a little bit of an oddball in not asking that. So, you've asked employers in other states what they feel -- how they feel this is working?

MR. GJEDE: I mean, we --

SENATOR LESSER (9TH): You personally. You've reached -- you've had those conversations with your counterparts?

MR. GJEDE: I mean, we certainly reach out to other organizations. Have we talked? No. But I recently saw an article -- I know Massachusetts just recently created, or whatever made an agreement to impose this program and already they're seeing significant issues in the way that they're adopting it and already seeing that funding level that they had initially proposed was probably gonna be problematic.

Many years ago, Washington State adopted the program contingent upon finding a funding source for it.

SENATOR LESSER (9TH): Which they have now done. Which they have now done.
MR. GJEDE: Right, right. And they did -- they have done. And that is, I think, the only state that actually has an employer funding mechanism. So, I think that they had found initially that this was significantly more expensive than they ever thought in the first place.

SENATOR LESSER (9TH): I don't think that responds to my question, though.

MR. GJEDE: You asked me what other states --

SENATOR LESSER (9TH): No, no, I'd asked very -- I'd asked a very specific question, which is have you -- I was asking about how if you -- to the extent which you'd surveyed your own members. I think you answered that question. And then I was asking about your conversations with other employers in other states. And I was asking about that, not -- I'm happy to have a conversation about Washington State's implementation questions. But that's not the question that I asked you.

MR. GJEDE: All right. So, you know, again, I'm the Connecticut Business Industry Association, so I mostly talk to Connecticut businesses. I reached out to other sort of our counterpart organizations in other states. So, I've had, again, not businesses in those other states, but certainly I've had a dialog for years with Washington State on this issue, and Massachusetts to a lesser extent. But, yes, we have had conversations. That doesn't answer your question. Have I talked directly to businesses in those other states? No. Other organizations similar to mine? Yes.

SENATOR LESSER (9TH): Great. Thank you for that answer and I appreciate it. I mean, the reason I
asked is because I'm -- as a member of this committee, I'm certainly interested in this bill. But, like many of my colleagues, I serve on many other committees and I'm the -- I wear another hat. I'm the chair of the Insurance and Real Estate Committee and they were keenly aware of our state's status as one of the insurance leaders in the country. And so, I was really interested to hear today in a meeting with the insurance industry, the Insurance Association of Connecticut saying they support this legislation. So, hearing that there is broad business support for this legislation I think is important. And I'm not sure you're aware of that. And so --

MR. GJEDE: No. Okay. I'll let you speak and then I'll --

SENATOR LESSER (9TH): And I also say it's not just limited to some of our, you know, the giant office towers in Hartford that employee thousands of people. You know, Senator Kushner joined me in my district earlier this month to meet with the local small business that's also pushing for this legislation. And I'm trying to figure out where Connecticut employers are. And it's been very instructive to me to hear broad support for it, and I don't feel like that's reflected necessarily through your association. And so, that's why I was just sort of asking, you know, where you're getting your information from.

MR. GJEDE: Yeah. So, I hate to speak for another organization and I don't intend to do that. My read of the testimony submitted by the Insurance Association reads very differently than how you just described it. What I was told is they certainly
don't support this program as written. And again, I don't to speak for -- I'm just -- my read of what they have submitted, I think they want some significant changes to it before they could be supportive. But again, I know that members of that organization are often present in this building and I will certainly let them speak for themselves. But in my conversations, again, without speaking for them, my understanding is different than how you just described it.

SENATOR LESSER (9TH): Well, I was -- with due respect. I was in that meeting and I don't believe you were, and that's only been an hour ago. And they told me flat out that they supported this legislation. And they did ask for changes. You're absolutely correct. But they did support -- they said they were supportive of the concept. And I think it's important that we get voices from the entire business community, not just a subsection.

Now, the reason why I was asking about other states is because one of the things that's really instructive is to see how it's worked in other states. And the message we've gotten -- Representative Porter, the Chair of this committee, mentioned this a minute ago, that the message we've gotten from California is this has been broadly successful in California. And specifically when employers have been polled there, they've said -- overwhelmingly they said that -- something 98.6 percent of employers said that employee morale had improved; 91 percent of employers said that profitability and performance had improved; 88.5 percent said positive or neutral effects on productively.
So, in all of the metrics that matter to an employer, this has had a positive on employers in Connecticut -- in California. And so when you're telling me that this will be bad for business in Connecticut and we have real-world examples. Now, you can nitpick and say that California's program does not exactly matchup with ours, and that's true. That's not -- it's a slightly different bill. But it's very difficult for me to take with face value that your message saying that this will be bad for business, when everything out of California and other states that have implemented this have said quite the opposite.

MR. GJEDE: Right. And I think the data that you're talking about is reflective of a different program. I think the data that, you know, or -- the concept that is supported by other organizations is a different program than what is here today. So, if you want to just talk about the fact that, you know, that California overwhelmingly supports something, let's talk about what is actually the program on the books there and not just say that, okay, well if they like that particular program there, we might like a very different looking program in our state. So, I don't know that we can actually make comparison, Senator, but again, happy to continue this dialog with you at a later date or now, however. Whatever you like.

SENATOR LESSER (9TH): Thank you. And thank you, Madam Chair.

REP. PORTER (94TH): Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. So, one of the things that has been of interest to me in this conversation, not just this year, but in
years past, is this notion that in some states a kind of a baseline disability policy is part of the overall longevity, I guess, plan, success of the plan financially. Do you think the business communities concern about the plan is founded only in the cost associated with that to their employee? You spoke a little bit about some of the smaller businesses in the community and their sharing concerns with you about the redundancy requirement. Frankly, that's what I hear from most of my constituents, that because the bill is a first employee bill, almost everybody that I know in the community of Litchfield would be subject to this other than, oddly enough, the Town of Litchfield, I guess, and the State of Connecticut. So, can you speak a little bit to whether or not this would be at all more acceptable if there was a disability policy foundation that each interested party, those that wanted to withdraw and be insured would pay for. I don't even know if you can speak to that.

MR. GJEDE: Yeah. I mean, that's certainly been the experience in other states, as you said, and they have proven to be, I guess, you know, somewhat successful and then built it out significantly after that, or at least so I'm told. I think that the number one thing that we're concerned about is creating something that is unsustainable here. And if that's a more sustainable model, then I think that's a better approach. What is put forward here is absolutely not a sustainable path forward for the state. And I'm very concerned about that. I think a lot of our member companies are very concerned about that. So, I know I didn't fully answer your questions, but.
SENATOR MINER (30TH): So, Madam Chairman, through you. When I see the changes in this legislation I think from the past, one of them that's most notable also is that it's almost anticipated that it's not sustainable. Section 2c talks about the employee shall contribute a percentage of his or her weekly earnings. The max contribution shall be limited to the Social Security contribution level. And then in sections beyond that, it actually speaks to the process by which the administrator determines its insolvency, and then procedure by which the General Assembly would approve to increase the rate, meaning the base rate, so those that have wages beyond the Social Security threshold I think is what they're referring to. And that in order to not approve that, the standard becomes three-fifths vote. So, it's -- am I correct that that almost -- it almost requires approval? So, there's not really -- I mean, in terms of the ride, so to speak, that employees would be on if we passed this legislation, the only chance that you'd have to restructure it is leaning one way, and that is that it's gonna cost the taxpayers of the state more. Is that your read of this?

MR. GJEDE: That's absolutely the read. In fact, if no vote is taken at all, the increase becomes automatic, at least that's my understanding, and I believe that's the same as your understanding.

SENATOR MINER (30TH): Thank you. Madam Chairman, I must admit that I have also -- probably more than other bills this year, I have received almost regular communication. You can't go anywhere without someone that is an employer asking you about the likelihood of passage of this legislation. And I think Senator Kushner is quite right, that that
doesn't necessarily mean that employers are in any way unkind or inconsiderate of the lives of their employees. It means to me that there is a significant amount of trepidation, especially in light of the fact that this is not the only thing we're talking about here in the State of Connecticut.

So, on par with everything else, through you, Madam Chairman, whether it's this item, shift scheduling, minimum wage. I think there are a number of other employee-employer bills with significance. Where would this rank in terms of people's trepidation?

MR. GJEDE: Certainly, this is way up at the top. You know, I think people are looking at what has been proposed here and just scratching their heads, like, how are going to possibly comply with this law while staying in business. So, without question, at the very top. I mean, -- I mean -- and I should clarify. At the very top of items proposed in this committee. I mean, so.

SENATOR MINER (30TH): Thank you, Madam Chairman.


REP. SMITH (108TH): Madam Chair, thank you. And good afternoon, Mr. Gjede. Good to see you.

MR. GJEDE: Good to see you.

REP. SMITH (108TH): So, what I've heard so far I that it's unsustainable, but I haven't heard why it's unsustainable. So, if you could just lay that out for me.

MR. GJEDE: Yeah, absolutely. It's looking at the math. And I know I've used this example many times
in this committee before. You know, you take someone, an individual making, let's say, $52,000 dollars a year. That individual at one-half of one percent, which is the cap of the -- at the first year of the program, they would pay into the system $260 dollars and they would be eligible -- if they were to take the full benefit, they would be eligible to take out $12,000 dollars. That's 12 weeks at $1,000 dollars a week.

So, you would need -- individuals at that income level, you would need 47 or almost 48 individuals paying into the program for every one individual taking out of the program. And I think that that is definitely woefully inadequate to make sure that there's a sustainable balance in there to fund all of the leave requirements. I think that if you simply look at even the leave usage for the State of Connecticut for unpaid leave, which is, you know, a very large employer so it's kind of a good cross sample, you know, they'd have six percent of their workforce out on unpaid leave at any given time, which would be significantly increased if the benefit became paid.

So, to us, the math simply doesn't add up and I think others who are probably much smarter than I who have actually, you know, done a full actuarial analysis have come to the same conclusion. And I think that's exactly why other states have not offered 100 percent wage replacement rate. They've offered a much lower wage replacement rate in every other state. So, others have clearly done this math too and realized that in order to be sustainable, this needs to be significantly trimmed back.
REP. SMITH (108TH): So, in your opinion, it needs to be trimmed back in one or two ways, or perhaps both. So, I'll ask you. So, right now, the bill before us talks about 100 percent reimbursement for wages up to $1,000 dollars per week. In your opinion, is that would have to come down to what level?

MR. GJEDE: I mean, I didn't -- I mean, I don't have the perfect answer. I just know that other states seem to range between about 60 percent and 70 percent. Some are as low as 50 percent. California might even be as low as 40 percent for some individuals. But yes, most seem to be in that 60 percent to 70 percent range.

REP. SMITH (108TH): So, from the data that I received, just to go along with your testimony, it looks like California's 55 percent.

MR. GJEDE: My apologies for misspeaking.

REP. SMITH (108TH): Massachusetts 50 percent to 80 percent, 67 percent for Jersey, New York 50 percent to 67 percent, Rhode Island 60 percent, and Washington just has a cap of $1,000 dollars. So, if we were to keep the full reimbursement at $260 dollars a week in your example, then the only way to make it sustainable, you know, I'm not a math major, but would be to have to increase the percentage contributed by the employee from a half of percent to some other percentage. Have you done that calculation?

MR. GJEDE: No, but I agree with your conclusion, that that would have to be increased in order to make the program, at 100 percent, be sustainable. And I guess also my concern is exactly what Senator
Lesser said before he stepped out for a second, is that when that becomes unpalatable for people and employees start to complain that more and more of their wages are being taken to fund this program, at some point the eyes are gonna turn back to the employer community and we're gonna be asked to contribute as well. And then, a program that was already a significant cost burden to begin with and a significant administrative burden to begin with now becomes even most costly.

REP. SMITH (108TH): So, if -- let's assume, you know, your conclusion is correct, that it's not sustainable and it goes from a half a percent to four percent of the employee's wages. I don't -- I'm not gonna do the math. But I'm assuming that's a much more onerous provision for each employee to have to contribute that amount per week out of their paycheck. Does -- is there any language in this bill that's before us that would allow that raised -- for that increase to happen automatically? Or who makes -- who would make that decision? Does the employee get a chance to vote on it or anything of that nature?

MR. GJEDE: Well, the employee certainly has no control at all of the amount of wages being deducted from them under this bill. As Senator Miner indicated earlier, that -- I believe, right now it would -- if the program were to be adopted exactly as written in the bill before us today, there is a cap at a half of percent, but again, it could be increased as time went on simply by not voting on it. So, I --
REP. SMITH (108TH): So, let me interrupt you for a second. Who would have the right to increase it then?

MR. GJEDE: The state would.

REP. SMITH (108TH): Department of Labor?

MR. GJEDE: If that's who's going to be administering it, and I believe that's who they've indicated would be administering it. I think that would -- might require a vote of the -- or lack of a vote from the legislature, but.

REP. SMITH (108TH): So, if I recall correctly in reading this over, if there is an increase, the legislature would have to approve by a three-fifths vote or have to disapprove it?

MR. GJEDE: They would have to -- my read is that they would have to -- if they did nothing, it would be approved. If they voted against it three-fifths, yes, then it would be dis -- it would be not approved.

REP. SMITH (108TH): So, if they did nothing -- so, in other words, -- let's just play this out because I've seen it happen. So, let's there was an increase the Department of Labor from a half a percent to four percent. It's now ripe for a vote before the legislature, but it has to be called by he folks at the top to come in for a vote. And the folks at the top decide you know what, I think the increase is fine. We're not gonna call the legislature in. So, I just want to make sure I understand -- my reading is the same as yours, that if the legislature was not called in to vote on it, which can happen, then the increase from a half
percent to four percent would take place automatically.

MR. GJEDE: I believe that scenario is correct under the bill as drafted.

REP. SMITH (108TH): And my reading of this bill also indicates, and this is some of the issues that I've had with this in the past, so I'll go through the examples again. Is that it applies to every employer whether you employee one or whether you employee a hundred. Is that correct?

MR. GJEDE: That's -- not every employer, but yes, employers who have employees -- have at least one employee, yes, there's that provision which we think is significantly problematic about sole proprietors, they would not be excluded -- or included unless they chose to be. And again, we see that as another significant problem with this. So, I can't every employer, but -- and certainly, again, back to my initial point, not the state or the municipalities as employers.

REP. SMITH (108TH): Correct. So, let's go back to the sole proprietor. So, I'm self-employed -- let's assume I'm self-employed. How do you see this is problematic if I decide to opt in all of a sudden and, you know, what's the downside of that? What are the issues that you see?

MR. GJEDE: Well, I think there's potential there for some misuse. An employer who -- or a sole proprietor, let's say, who may want to have an elective surgery at some point in the future could say okay, well, I'm gonna opt into the program this year. I'm gonna do sort of my waiting year as I'm feeding money into the program. You could then take
advantage of the leave under the program and then time it so that you quit participating in the program once your need is no longer there. So, we just see that as a loophole for people who have -- who want to time their need for the program to take advantage of it. And, you know, I guess my belief is that if we're gonna give some people the option as to whether or not they want to do this and if this program is so infinitely popular, as, you know, in other states, why not let everyone decide whether or not they want to opt in or opt out of the program?

REP. SMITH (108TH): Fair enough. And the -- you know, I was thinking of the small mom and pop company, right. So, you have a husband and wife or maybe a husband and wife and child, you have a family-run business, and they're obligated, because as you know there's three employees to participate in the program. I could see a situation where they decide to use the program because of whatever reason. Again, they pay, let's assume, the same scenario of $260 dollars a year. They get $12,000 dollars out of it, not only for mom, but for dad and for the son or daughter.

So, that was an issue that I had with the bill last year that I raised and it doesn't seem to have gone away. I'm worried about the abuse of the system making it unsustainable ever more so. Just because people, once they catch on, they can, hey, I can get a leave of absence. I mean, who's checking on why they're taking a leave of absence? I'm not sure if there's language in the bill; I haven't had a chance to read every line, that says it has to be for a medical reason or a health reason or, you know, some emotional trauma that may have happened to the
family. I’m not sure how you define it all and I'm not sure the Department of Labor has the resources to investigate that. Because you talked about a figure of, I think, it was $18 million dollars a year. I'm not even sure if that gets into the research end of it or the investigation end of it of compliance and abuse of the system and fraud. So, that's just some of the concerns I have with it.

You know, on a federal level, I think it's 50, right, to 50 even. Some of the other states, you know, they vary in terms of the number of people. I think if you're gonna have a program here in Connecticut, to make it apply to a mom and pop company or a sole-proprietor, is inviting abuse and a failure of the system. And maybe you can just comment on that.

MR. GJEDE: Yeah. You know, I certainly raised that point regarding the sole proprietorships and their ability to potentially time the need as a concern. And yes, obviously, as we have expanded the number of family members and including in this section -- in one section of the bill where, you know, you could take leave for people that, you know, are considered like a family member, you know. I would hope that definition would be tightened up a little bit because, you know, you could be taking leave for, you know, for virtually any person you know, whether they need it or not.

And I'm not sure, as you said, that the Department of Labor or whoever ends up being the administrator of this program has the capabilities, the manpower and the wherewithal to determine what is proper claims and what are not. I know that the department is incredibly overworked already and has seen
significant staffing shortages over the past few years. So, I think that is gonna be a significant problem for whoever ends up administering this program, if it's a state entity that does so.

REP. SMITH (108TH): So, I appreciate your feedback on that. One of the other concerns I have, and I think Senator Kushner alluded to it, is, you know, especially with the small businesses, she asked about, you know, how the CBIA deals with people who are -- take leave for various reasons. Do you have programs in place? With the small businesses, it's so difficult to run a business and then to have somebody come in to replace somebody who's out for 12 weeks. I mean, 12 weeks, three months, that's a long time during the year. If you have three, four employees and you have somebody out for 12 weeks, your business is scrambling, to say the least. Now, can you get somebody in there? Maybe you can; maybe you cannot. You know, it all depends on the type of business.

You heard Representative Polletta talk about his business as an electrician. It's not easy to find other electricians just to come work for you for 12 weeks while this other person's out. You have a law firm. It's not easy to find another lawyer just to come in for 12 weeks, or a paralegal. Those are just two examples off the top of my head, but clear across the board. When you have a larger company, it's easier to absorb the loss of a person for 12 weeks because you have more resources. Frank can do this. Julie can do that. Bill can do that. You have more people to cover. When you have three or four people working for you, they're all swamped. They've got their own job to do. They can't pick it
up and somehow take up a full-time job for somebody else for 12 weeks.

So, I would hope that the committee would consider that in dealing with this issue for small businesses. We've all had conversations with our constituents, but I think an employer who employees less than -- you know, you pick the number out. But if you want to make it less than 50, I think you're looking for trouble. If you want to make it one, two, three, four people that this would apply to, it's gonna really hurt our small businesses. And I don't think that's the intent of this committee. It's never been since I've been on it, to try to hurt our businesses. We try to help them. But I think this would be a step in the wrong direction and actually hurting our employers if we limit it -- or just open it up to one employer to you name it.

So I would hope the committee would consider that as we move forward. The -- I could be wrong, but I thought I heard somebody testify that it would apply to somebody who is out on unemployment. Is that your reading as well?

MR. GJEDE: I actually -- I do think that that is prohibited. I think that an individual who is out on worker's comp and unemployment would be prohibited from receiving this benefit. That's not to say that they couldn't receive them one after the other potentially or -- but not at the same time.

REP. SMITH (108TH): And so right now this is strictly an employee-funded program. Is there any language in here that would require an employer to incur any costs or fund the program at all?
Mr. Gjebe: No, not now. But incurring the costs are indirect. It's the -- it's through non -- you know, the requirement to continue to provide nonwage benefits, the requirement to continue to pay unemployment, worker's comp, other type of benefits on behalf of that employee, so. And then just as you --

Rep. Smith (108th): So, can I stop you there for a second? So, I just want to make sure I understand that. So, if you have -- if you're an employer and you're paying an employee every week or however you do it, you take out a certain amount of money per week for unemployment compensation. Correct?

Mr. Gjebe: You don't deduct that from employee wages. That's something that the -- a cost the employee incurs.

Rep. Smith (108th): Right. So, the employer incurs that cost.

Mr. Gjebe: Just to --

Rep. Smith (108th): Right. Send them to the fund, to the state, and to the feds. So, during this period, let's assume it 12 weeks, that the employee is out and receiving benefits under this bill if it were to go forward, would the employer still have to make that contribution to the unemployment fund?

Mr. Gjebe: Yes.

Rep. Smith (108th): And the taxes as well?

Mr. Gjebe: Yes.

MR. GJEDE: That's correct. They're still on the payroll. Their job is still there. You would absolutely have to do that.

REP. SMITH (108TH): I mean, -- I don't know. Something logically doesn't apply there to me. I mean, I could understand if a person's working, then they get the benefit and there's a contribution to the fund, but when the person's not working for 12 weeks. Now, again, that's -- we're not talking about a small amount of money. The contribution employers have to pay each month for unemployment, well, you know. You know, you're a -- it's high. I know personally every -- what do we do. Well, we just paid it yesterday, you know. It's like oh my God where is that money coming from, you know. And I think I'm successful. I have a pretty good practice and I earn a decent wage. But it's a struggle month to make that payment. Whether you're a small employer or a large employer, the numbers are off the charts.

So, I don't know if that's something that's required by law or that's something that's, if you know, whether it's just part of this bill.

MR. GJEDE: I think it's required by law if you have an individual on your payroll and you are abiding by the laws of the State of Connecticut, you are required to make payments on their behalf in most cases. So, that's.

REP. SMITH (108TH): Are there any other states that you're aware of that do the 100 percent matching contributing or the 100 percent payment of the wages?

MR. GJEDE: No.
REP. SMITH (108TH): So, we would be the first in the nation.

MR. GJEDE: That's correct, yes.

REP. SMITH (108TH): You know, I'm gonna -- Madam Chairman, I'm sure there's other questions out there, which I sometimes do hog the mic for awhile. So, I apologize. But I'll pass it on to my colleagues and I'm sure I might have some more questions as we go forward. And thank you for the opportunity.

REP. PORTER (94TH): Thank you, Representative Smith. And I won't take this opportunity to debate all of what I've heard, but I do, for a point of clarification, just want to state on the record that the thing that's really disturbing was to talk about inviting abuse by our sole proprietors. I think a lot more of our sole proprietors than that. I don't think that they would abuse the system simply because they're sole proprietors. I think that they are honest people.

But aside from that, in the bill it is written that if a sole proprietor so deems or desires to opt into the program, they have to opt in for a minimum of three years. And after the three years, they can decide whether they want to opt out or if they want to remain in. So, if they're that good to know, you know, from a three-year period when they may be able to jump in and out of the system, then I -- yeah. I don't know how you'd do that. But I just wanted to say for the record that sole proprietors can opt in. If they choose to do so, they have to be in the program for a minimum of three years. And from that point on, they can decide to withdraw or remain in one year at a time.
I think the next person would be Representative Rutigliano.

MR. GJEDE: I'm sorry. May I please just respond to that, Representative?

REP. PORTER (94TH): Sure.

MR. GJEDE: And I just want to say I absolutely share your belief that I think the vast majority of people who would use this program would be doing so appropriately. I only bring up these things because I have to think of the worst case scenario. It's - like, I don't think every person in this room is a murderer, but at the same time, we have statutes on the book that deal with what to do with people who commit murder. So, I have to think about the worst scenario because this is something that we are gonna have to implement and I want to make sure that we get this program absolutely right.

I just think back to when we implemented in this state the Paid Sick Leave law. For the next three years, it was my organization and other business organizations that had to go around and correct all of the issues dealing with the administration of that program. And I'm just trying to avoid that in advance. That, if we're gonna do this, let's do this in a way that is sustainable for the employer community and make it so I don't have to be back in front of this committee next year, talking about all the problems we've already found and how to fix them.

REP. PORTER (94TH): And I can assure you that we're doing the same, making those same earnest efforts to make sure that this is working at its best capacity to be most effective. I'm hoping that Connecticut
will actually be a model state when we're done with this so other states that come behind us will look to us to see how to get it done right.

Representative Rutigliano.

REP. RUTIGLIANO (123RD): Thank you, Madam Chair. Good afternoon, Eric, how are you? We had some talk on California before and I looked up my notes and that California is 55 percent in six weeks. So, our proposal is a thousand, which could be a hundred percent in 12 weeks. So, that was the differing. I just have a few questions. There's been a lot of questions asked and there'll be a lot more speakers. My concern was with the replacement employee.

You know, I'm in a different industry. I'm in the service industry so it's hard for me to find and replace people. It takes a long time to train them and use them and everything like that. If I have an employee that I keep for the three months this employee is out, and now I have to guarantee this employee their job back. That employee, in three months, would qualify for unemployment. I would have to pay them unemployment and it would also -- would it also count against my unemployment experience, which essentially raises my rates?

MR. GJEDÉ: So, there are some, I guess, technical timing issues there. So, if you employed someone for three months and then they became -- I'm sorry. So, your question was you employed them for three months they used the leave.

REP. RUTIGLIANO (123RD): They are my replacement employee basically.

MR. GJEDÉ: Okay, yes. I'm sorry. So, you employed them for three months and then they no longer were
employed by you and then they began to collect unemployment, would that count against you. The answer is not immediately. So, if they immediately begin collecting unemployment, the way unemployment works is that you look over the first four of your last five quarters. So, the cost for their unemployment would be borne by a different employer. But if they, down the line, they didn't find a job —

REP. RUTIGLIANO (123RD): So, you're saying if they worked two quarters, got laid off, I would then be responsible.

MR. GJEDE: Yes, you would be partially responsible, yes.

REP. RUTIGLIANO (123RD): And I was a little confused by some of the conversation. While this employee is out on leave, receiving a paycheck, essentially a check from the insurance, am I responsible to continue their health insurance, pay their unemployment, pay their worker's comp? I mean, did I misunderstand Representative Smith's question? Is that still a burden, not a burden, but is that still my responsibility?

MR. GJEDE: Yes. Certainly unemployment, certainly worker's comp, and yes, your portion of the health insurance.

REP. RUTIGLIANO (123RD): If -- you know, if I have an employee-employer match where their portion comes out of their paycheck, essentially, how -- I mean, how would I receive that money from the employee. Like, where does the check from when they're on leave? Is it -- I would imagine it comes from the state or.
MR. GJEDE: That's correct. It would come from the state. How would you get your portion?

REP. RUTIGLIANO (123RD): You would just be unreimbursed?

MR. GJEDE: I would presume -- I don't -- well, I guess I shouldn't presume. But hopefully, the state, if they're the ones who administer this program, would take into that calculation that, you know, various matches and employee contributions would need to be remitted to you. But there's no guarantee of that and I don't think that the bill speaks to that.

REP. RUTIGLIANO (123RD): Yeah, I was gonna ask you that. It is written anywhere in the bill that the -- say we have an 80/20 split with health insurance and -- is it written anywhere that the employee -- the state would send that 20 percent to the insurer even. It doesn't even have to go directly to the employer.

MR. GJEDE: I haven't memorized the whole bill, but yeah, I don't recall that section. I'm sorry.

REP. RUTIGLIANO (123RD): So, would you know, because I read it -- and I'm asking you these questions because I'm thinking that you read it more intensely than maybe I have. So, these are the questions that came out of that -- that reading. Exactly -- are we clear where the check comes from? Does it come from the Department of Labor? Would it be administered sort of like an unemployment check is? Is that what the bill says to you?

MR. GJEDE: I mean there's certainly the recipient of the employee contributions, so it would seem to
make sense that they would also be the one to make the payments.

REP. RUTIGLIANO (123RD): So, that lends me to another question. They are the receiver of the employee contributions. Is there a separate fund set up in this bill that those contributions go into and stay there and are protected or are they comingled with other funds?

MR. GJEDE: I believe that there is a fund established under the bill and I believe that it is specified that it would be separate from any other funds and not property of the state.

REP. RUTIGLIANO (123RD): Does it say anywhere in the bill that if it reaches a certain level it could be swept into the general fund or a percentage can be taken off or is there anything prohibiting that?

MR. GJEDE: I believe there's a statement regarding that this not be deemed property of the state, which would imply that the state could not make that such a sweep.

REP. RUTIGLIANO (123RD): Okay. And it would also - is it your opinion in reading the bill that it's also the state's job to determine whether that person is actually eligible for the benefit?

MR. GJEDE: That's absolutely my reading, yes.

REP. RUTIGLIANO (123RD): Okay. Well, those are my top five quick ones. I'm sure I'll have more. I'll sure I'll reread the bill again and again and again. You know, I don't have all the answers to all this stuff. I know that certainly there seems to be a need out there. It seems to be that it's unfortunate that the state couldn't use a sort of
public-private partnership, sort of where we buy
disability insurance for people or they contribute
to a fund that purchases it. Unless a private
company administer it or something like that. But
that's just me making offhand comments, I guess.
And that's all the questions I have, Madam Chair.

REP. PORTER (94TH): Thank you, Representative
Rutigliano. Representative Polletta.

REP. POLLETTA (68TH): Good evening. It's just
about evening. Thank you for your testimony and I
think I can speak to the small business community,
as a small business owner myself, that we are deeply
concerned about this proposal. My question to you
is really directed at the loss of talent and loss of
skill for an individual that would take off if this
bill were to pass. Has your membership, your
businesses, many of which are in my district, along
my main street, have they spoken to you about these
same issues, that if they lose an individual for 12
weeks, they're gonna be strapped and really hard
pressed to find somebody of that same talent level?

MR. GJEDE: I think there's a general concern of
businesses of attracting and maintaining talent in
the state. You know, we hear constantly that we are
having -- businesses are having a harder and harder
time retaining, especially, younger employees, you
know. And we know that at least 40 percent of those
that we educate in our institutions of higher
education leave for opportunities in other states,
which I think is, obviously, very unfortunate.

The number one thing that we hear is that employer,
or employees, excuse me, simply don't want to come
here because the state is a very expensive state to
live in. You know, we have -- I've been in
manufacturing facilities where they talked about how they managed to land, you know, and convince someone from -- I don’t know. I think it was Texas was this one particular example I'm thinking of. The guy came in for a couple of weeks and realized that, while the salary was significantly better than what he was making in Texas, he quickly realized the actual take-home pay and the cost of living was such that he was better going back to where he came from. And I think we hear that more and more or small businesses having a hard time getting people to take jobs because they know the cost of living here.

So, then you take this program, you throw this on the books, and now there's another half of a percent, or at least that's how it would start, of their wages that they're no longer gonna see because the state has deemed that this program is a better -- a better place for their money to go than, you know, whatever else that that person may have preferred to spend money on. So, now they lose another half percentage of any wages that we could've -- we could've paid to them. And I think that becomes -- it just helps exacerbate the problem, potentially, here. So, I think that's -- that is a concern.

REP. POLLETTA (68TH): So, in terms of the -- again, going back to the loss of skill for those 12 weeks. Would the employer be required to pay unemployment when the individual returns and the temp leaves under this bill? I mean, I haven't thoroughly read every line of it, but with your understanding and the understanding of the small business community -- again, I'm -- I guess I'm particularly interested in businesses that employ 50 or fewer individuals because that's my district and I -- everyone knows
me, I vote my district. And I have small businesses. I have a ton of restaurants. I have liquor stores. I have, you know, the Dunkin Donuts and McDonalds, the Carvels of the world that just can't lose three or four people for three months a year. They can't do it and they're gonna need to hire more people to fill that loss. And then when the other ones come back, they need to tell these individuals thanks but no thanks. We just trained you, we got you the job. We don't need you anymore because this individual came back.

So, the unemployment costs, I'm assuming would go up if the individual had to leave when the new one -- when the individual taking the family medical leave returned, the temp would go. Would you pay unemployment for that temp?

MR. GJEDE: So, I think the answer you're -- so, if they're actually a temp, as in like from a temporary employment agency, then they're employed by --

REP. POLLETTA (68TH): No, no, no.

MR. GJEDE: But I know -- I think that what you're -- I think you're, you know.

REP. POLLETTA (68TH): I'm saying we just hired them because we need somebody. We can't do without them.

MR. GJEDE: Right. So, if you're talking about a fill-in worker that you've hired as a company and not a temporary employee from an temporary employment agency, then yes, your experience rating -- your usage of the unemployment goes up and then the next time they go to figure out rate, which will, you know, -- the rate would potentially go up because you've now used the program.
REP. POLLETTA (68TH): So, in the trade industry, which, you know, I've been fortunate to be involved in since I graduated in college, and it's a family business specializing in real estate management and development and electrical contracting. We heavily rely on our employees. I mean, we don't have 60 or 70 employees that if one or two people left I can just delegate a little bit of work to each one. I lose my E-1 electrician for three months, for lack of better words, you know, it's not good for me. And my customers, in turn, are not happy. It creates more stress on a business owner who's already financially strapped in this state. I'm wondering what, as, again, speaking for a small business owner, what we do to try to replace that skill and talent lost for these three months per year, per employee?

MR. GJEDE: I mean, that's a significant problem. We're seeing that people cannot find the skilled employees they need now. And now you potentially need someone for a short period of time while another is out of the workplace. I don't know how that possibly makes that lack of skilled workers any easier of a problem for businesses to deal with.

REP. POLLETTA (68TH): The other question I guess I have -- and I'll reserve my other questions for later. I know we have a long, long list of people that will testify this evening so I don't want to exhaust you. You've been up here long enough. Is for a close family member. This is of particular concern to me because, you know, I'd like to consider myself a guy that's close with a lot of people. I really am. I mean, I can just pick up my phone and show you my text messages of friends of mine that I consider sometimes even closer than
family. And if one of them fell ill, I would definitely be inclined to take advantage of this program and, you know, take a few weeks or a couple of months off to help them, especially those that are elderly. And I have, you know, a few in particular. An individual who helped me get to where I am today here politically and also is a good family friend that's aging and, you know, may need help in the future.

So, a close family member or a close equivalent to a family member, under your understanding of this bill, would that -- would that constitute family and medical leave, an equivalent to a family member? Someone that is, you know, maybe emotionally close to me that I think I could perhaps take some time off to care for?

MR. GJEDE: Yeah. I don't think those terms are defined at all, you know, what is -- how close -- what is equivalent, you know, that you feel equivalent. I -- there is no clarity at all under that. I think that's an incredibly subjective standard. So, I'm really not sure. Let's -- so that if it's the Labor Department who is the one ultimately administers this, how they determine who an eligible individual for this leave would be and who would not be. I don't -- maybe you have to show all those text messages you just referenced or -- I really don't how they would prove that one way or another.

REP. POLLETTA (68TH): We hear a lot of comparison arguments; Connecticut compared to New York. Connecticut compared to California. Proponents of the bill, I would assume through my discussions, would say that this bill would make us more
competitive for young families. And I certainly, you know, take that with a token of appreciation because I, as a young person myself and having a lot of friends that graduated -- I went to Fairfield University, graduated with a four-year degree. Five people are in Connecticut. The rest of them are gone. And I'll give you a wild guess how many of them went to California. But I won't let you guess right now.

So, in terms of making us more competitive, I fear that making us unaffordable is the real issue with this bill rather that more competitive. I would venture to guess that your businesses that are in CBIA, any organization -- do they mainly range of 50 or more employees or are they mix of everyone?

MR. GJEDE: The vast majority are much smaller than that, ten employees or less.

REP. POLLETTA (68TH): Okay, okay. So, you're not necessarily hearing from the United Healthcares or the Aetnas or the GEs or those companies. You're hearing from the mom and pops along Main Street that employ maybe like five to ten people. Correct?

MR. GJEDE: Yeah. Again, I hate to paint -- just given the diversity of our membership, I hate to paint everyone with such a broad brush. But typically, larger companies would be able to figure out a way, as I think Representative Smith said earlier, to have other people kind of cover the job. But it's the small business in particular that would have a significant issue with this.

REP. POLLETTA (68TH): My final comment has to do with some conversations I've had in my district with small businesses. Here's what I fear. And I don't
know if you've heard the same thing. Correct me if I'm wrong. Again, I'm new to this committee, so I'm gonna say this. I believe that -- in what these small businesses have told me, I believe that small businesses are gonna look for alternatives if this bill is passed. That's my belief.

For instance, what I heard is that vacation time may not be offered anymore. So, for instance, a person that works in a business that's given two weeks vacation and there is no contract that says they're gonna get that two weeks, I -- it's been relayed to me that that paid vacation will not be offered anymore. And the individual that doesn't take family and medical leave, comes to work every day on time, is trying to provide for their family, now won't even be given the opportunity to take a paid vacation. Have you heard that?

MR. GJEDE: Well, I think the point that you're trying to make, and I agree, and what I have heard from our members is that there is no magic stash of money that these businesses are holding on to that allows them to simply incur the costs of this program and not make some sort of adjustment in another way. And typically, if -- it's gonna be labor. And that's gonna result in more automation and perhaps less opportunities or less hours is probably the more likely case.

REP. POLLETTA (68TH): Yeah. I'm -- again, I've heard specifically from business owners that, you know, if they are gonna lose people for three months, then it's impossible to offer vacation time, this, and plus any other benefit package that comes with their -- again, this is a small business. I'm not speaking for 50 or more employees, because in my
district we have very few of those. These are mom and pop shops that really -- you know, it's their bread and butter and they left their job to start this small business, and now all of a sudden they themselves in checkmate with a lot of the legislation that could be coming down the pipeline. So, I will reserve my further questions for future individuals coming up. But thank you for your time and thank, Madam Chair, for your time. Thank you.

SENATOR KUSHNER (24TH): Thank you, Representative. Is there anyone else who has any questions of this person testifying? So, before you leave. This isn't a question and it doesn't require a response, but I did want to make note that the U.S. Chamber of State -- the Council of State Chambers -- U.S. Chamber of Commerce in 2016 supported -- commissioned a survey of 1,000 executives and found that expansion of parental leave had a 72-percent support rate among business owners. So, I found that very interesting and I think, you know, while that comport with your testimony, certainly we've heard from a lot of businesses that do believe it would be helpful and useful and the right thing to do for Connecticut. So, thank you for your testimony today and we're gonna call the next witness.

MR. GJEDE: I appreciate your time and I apologize to everyone for theirs, so.

SENATOR KUSHNER (24TH): So, we're gonna go back to the public officials' list and I am gonna call Gary Turco with Jessica Weaver.

REP. TURCO (27TH): I am Gary Turco, State Representative from the 27th District, which is most of the town of Newington.
MS. WEAVER: And I'm Jessica Weaver. I am a constituent from Newington, Connecticut, and also a University of Connecticut student.

REP. TURCO (27TH): Chair Kushner, Vice-Chair Hall, Vice-Chair Osten, Ranking Members Miner and Polletta, thank you very much for this opportunity. I'd like to express my -- oh, and Chair Porter. I'd like to express my strong interest for Senate Bill 1 and House Bill 5003, AN ACT CONCERNING AND AN ACT IMPLEMENTING PAID FAMILY AND MEDICAL LEAVE PROGRAM. I had a lot to say, but it's been a long time and we have a lot of great people here that want to talk as well. So, I'm gonna keep my comments brief and turn it over to Jessica Weaver, who's a constituent of mine here in Newington. She is a UConn senior, a political science major, and she's here to support this legislation as well.

But one of the reasons I decided to be a champion and to push for a paid family and medical leave program is because I heard from so many young people throughout my district that this is a program they want to see here in the state. We are losing a lot of our young, educated people, people like Jessica, that graduate from our colleges and then they go off to other states, that brain drain, and if we want to have a high-educated and trained workforce to help bring businesses here to the state, to keep our businesses here, to develop that workforce pipeline, we need to be competitive with our surrounding states like Massachusetts, New Jersey, New York, Rhode Island, that already have moved forward with a paid family and medical leave program. So, I think this is important for our young people, keeping them here and being competitive. And I'll turn it over to Jessica Weaver now for your comments.
MS. WEAVER: Thank you, Representative Turco, and thank you everyone for taking the time to listen. So, I am a senior at the University of Connecticut and I'm going on the job market very soon. And I support paid family and medical leave here in Connecticut because I want that option to be able to take time off if -- when I have a family or a family member gets ill. I can take that time off.

My mother, she was able to take six weeks paid for her company, but had to pay -- take unpaid leave after that. And I'm very worried about my prospects as I look to go on the job market and look for places where I can have a job. This is a really important issue to me because it's probably where I'm gonna be settling down and where I would like to build a family. And all around us, as has been said before, there are plenty states around us that have implemented this program and implemented it very well, to add, as we've said before here; New Jersey, California, to name a few.

So, Connecticut has been the only home I have known since I was born. It has been the home of my parents and my grandparents for decades and I want it to continue to be my home for future and where I would like to raise my family. So, I support this act and I believe it will undoubtedly help in reversing this brain drain that we're seeing and I know a lot of my fellow millennial/ [inaudible - 02:57:38] in this state really do support a place where we can have an attractive workforce where we do have these options for paid family and medical leave. So, thank you again for your time.

REP. TURCO (27TH): Thank you.
SENATOR KUSHNER (24TH): Thank you. Do you have any questions for these folks? Go ahead, Craig -- Senator Miner. Sorry.

SENATOR MINER (30TH): Thank you. Thank you both for being here. So, I don't know exactly when you came in, but I'll hope that you heard kind of the give and take that we had with CBIA. So, my question is -- some states seems to have a disability policy at the base of this opportunity, I'll call it. Would you still feel the same way in terms of support if part of the Connecticut model included that type of an insurance policy to people that wanted to participate would have to purchase first?

REP. TURCO (27TH): Would that be an optional program that people would purchase through their employer? Is that what you're suggesting, Senator?

SENATOR MINER (30TH): So, my understanding is that some states, if you wanted to participate, as an option of participation in terms of a withdraw, there's a baseline of a disability insurance policy that's built in, baked into employment. And so, it isn't necessarily dollar one against the fund in all cases. There'd be a premium that a lot of people pay into, perhaps in addition to the wage withheld.

REP. TURCO (27TH): I mean, personally --

SENATOR MINER (30TH): This plan does not have that. This plan is built solely on employee contributions which are not voluntary. So, I'm curious -- because I am concerned about young people leaving and I do get the concept that, especially among some populations, this has a greater level of support than others. So, my question is, in terms of young
people, do you think they would be willing to still support this program should it have some level of higher contribution through an insurance plan if you wanted to draw that benefit?

MS. WEAVER: I can't speak for all young people. I know from my perspective I think that the model we have presented here is a good model and I think that as an employee I contribute to my own paid family and medical leave, I think that's the model that we're going for. I can't speak for everyone, though, in saying that they'd support this or not. I know that -- despite pre-notions, I know that people think we're all just, like -- we think all the same. We don't.

SENATOR MINER (30TH): No, I get it.

MS. WEAVER: So, I'd hesitate to speak on everyone's behalf on that.

SENATOR MINER (30TH): And through you, Madam Chair. So, my read of the bill is that's it not necessarily sustainable to the extent that there may be people who use it more and people who use it less. So, when you said that you liked this model, I'd ask you to understand that in order for you to be able to withdraw from this model at a rate that it contemplates, by understanding it takes about 45 people to put into the model and not withdraw. So, it's not really as sustainable as it might be. What I want to try and find is what a base level of support there might be for a more sustainable model. But I think you answered the question and I'd ask you to just think about the possibility that it may not be as sustainable as we think it is at the kind of thresholds we've established here. But I am
keenly interested in having young people stay in the state, so. Thank you.

REP. TURCO (27TH): And I think we see this program as a safety net. It's not a program that you hope to have to use. You don't personally want to get sick or have a family member that gets sick. But when that emergency happens, you have the program there to support you and prevent you and your family from going bankrupt.

SENATOR KUSHNER (24TH): Anyone else? Well, thank you very much for coming. It's wonderful to see you here testifying at such a young age and taking an interest in this bill and this process. Thank you.

MS. WEAVER: Thank you so much.

REP. TURCO (27TH): Thank you.

SENATOR KUSHNER (24TH): We're gonna go back to the public signup list. And I am gonna ask your indulgence there, as Dr. Veronica Pimantel is here with a 5-week-old baby. So, I know a lot of people have signed up, but I think we're gonna give her an opportunity to come forward. Thank you.

(Applause)

DR. PIMENTEL: Thank you for the opportunity to address you today. My name is Dr. Veronica Maria Pimantel. I'm a maternal fetal medicine specialist, which means that I take care of high-risk pregnancies, and I work at St. Francis Hospital. I'm also an assistant professor at the University of Connecticut. And I'm here today to speak in support of the paid medical leave.

More importantly, I'm a first-time mom to a baby girl named Vivian Marie. I was blessed to have a
joyful pregnancy and work full-time until my due date. During my pregnancy, I was reticent to take any time off because I wanted to save it to use it for my maternity leave. Figuring out parental leave was immensely stressful. Because what happened is if I delivered before December 31st, I would receive less than $500 dollars for my entire leave. But thanks to a new change in policy by my employer, if I delivered in the new year, I was guaranteed six weeks of paid leave.

Now, I'm a physician. I get paid reasonably well. However, I'm a relatively new physician and after 11 years of medical training and accumulated debt, the difference in income certainly gave me pause and concern. As a physician who specializes in women's health, I know that the benefit of parental leave go well beyond a certain degree of financial security.

It has been shown that it can improve health of both the child and the mother as well as decrease infant mortality. As a new mom, I know how essential this leave this, this paid parental leave is. This protected and paid leave is instrumental in allowing mothers to bond with their babies, attend medical appointments, return to the workplace, find reliable and safe childcare for when they return to work, and be more productive when they are at work, because they took the time off to make sure that things worked well. Thus, not only will my parental leave allow me to be a healthier and better parent, but I believe that when I do go back, I'm going to be a healthier, more productive professional.

I'm almost six weeks into my leave and the things I'm most proud of is the fact that I have been able to exclusively breastfeed my baby, which is an act
that takes about one-third of my 24-hour day that I'm actually cognizant. So, I spend over eight hours breastfeeding. And I don't -- I think without the change in the policy I would not have been able to do it. Because what I did is I was able to extend my leave, not only from six weeks, but up to 12 weeks, and take an additional six weeks of unpaid, because I had six weeks of guaranteed pay.

So, I'm fully aware that I'm actually in the minority of women in the United States that benefit from a paid leave. Many of my patients don't. In fact, one out of four women have to go back to work two weeks after delivering, and I cannot imagine how they're able to do that. Many of these women actually are from low-income families and they're already facing a lot of issues that negatively impact their health. And this is something that compounds the problems that they're facing. And I think that by not doing anything to help, what we're doing is we're creating a system that is exacerbating inequalities and that disproportionately affect families that are already vulnerable in our society.

So, as a physician, I view parental leave as a preventative measure, worth of our society's investment. And as you know, prevention still remains the best medicine. Thank you.

SENATOR KUSHNER (24TH): Thank you, Dr. Pimantel. Do any of the committee members have questions? Well, I want to say, you know, I think -- I'm very happy that you highlighted the number of people that don't have this benefit. I know you're fortunate, as was I when I had my three children. I had paid family leave from my employer. And I can't imagine
what it would've been like if I hadn't. So, I appreciate that you recognize that that's a wonderful benefit that you were able to use, but that how many people don't have that benefit. So, thank you for coming and testifying.

DR. PIMANTEL: Thank you.

SENATOR OSTEN (19TH): And your baby's beautiful.

DR. PIMANTEL: Thank you.

SENATOR OSTEN: (24TH): Congratulations.

SENATOR KUSHNER (24TH): Thank you. So, next up we're going back to the public official list and I see next on my list is Senator Marty Looney.

SENATOR LOONEY (11TH): Thank you so much and good afternoon, Senator Kushner, Representative Porter, Senator Miner, Representative Polletta and members of the Labor and Public Employees Committee. My name is Martin Looney and I'm the State Senator from the 11th District representing parts of New Haven, Hamden and North Haven. And it's my great pleasure to be here today to testify on several bills; Senate Bill 1 and a companion House Bill, 5003, and also Senate Bill 697 and Senate Bill 765.

First of all, I wanted to commend this committee for bringing forth these important bills this year. And the Labor and Public Employees Committee in Connecticut has long been one with a very proud history and it was my great honor to be a member of this committee many years ago in my early years as a state representative.

First of all, Senate Bill 1 and House Bill 5003 each propose to establish a system that will provide critically needed paid family and medical leave
benefits to individuals employed in our state. The United States is very much in the minority of developed nations that do not explicitly provide employees with the ability to take such leave on a national basis. Individual states, on the other hand, have the authority to require this benefit to be provided to employees. I believe we have an obligation to do.

As with bills on the subject that have been offered over the past few sessions, the paid salary replacement benefits provided for in both Senate Bill 1 and House Bill 5003 would be employee funded. Now, obviously, there are other states where there is an employer funding participant. This is a much more modest plan. So, it would be employee funded only. The only responsibility of the employers would be the administrative function of managing the payroll deduction and transmitting the funds. An employee would contribute a small amount of his or her pay, approximately half of one percent, into the fund administered by the state. Thereafter, in the event the employee would need to take family or medical leave for a serious medical condition of his or her own or needs to take care of another family member or a new baby, he or she would be eligible for paid family leave out of the trust that would be created.

According to a 2016 Institute for Women's Policy Research report, only 13 percent of workers have access to paid family leave through their employers and fewer than 40 percent have access to personal medical leave through employer-provided, short-term disability insurance. According to the Implementation Report, for families with incomes below $25,000 dollars, 62.7 percent of leaves taken
are uncompensated. While some Connecticut workers may be eligible for the 12 weeks of unpaid, job-protected leave per year under the federal FMLA Act, many Connecticut employees are ineligible for this unpaid benefit. Even for those who are eligible, they often do not take the leave because they simply cannot afford to go without income even for a short period of time.

And as we saw recently with the federal shutdown, we saw the hardships that were visited on those federal workers who were without pay for five weeks and what it meant for those who were furloughed and for those who were required to work without being paid. Every night in the news we would hear the financial hardships of people who were being late on mortgage payments, late on car payments, unable to make needed purchases, unable to make rent payments, unable to pay an insurance premium, having to borrow money from family members if they could, impairing their credit because of the activities they had to take because of the lack of income. So, it shows that in this country -- and these are all middle-class federal workers. These are not poor people. It shows you that large -- our middle-class really is generally in a position where they can't go five weeks without a paycheck. People do not have resources that would allow them to live that period of time without a paycheck.

So, this is something that I think is sobering to us, and should be. And given the real-world makeup of our modern day workforce filled with many, many constituents who are working parents with young children or working and taking care of aging parents, I believe that providing for a reasonable level of paid family and medical leave is both
pragmatically necessary and also humane. Working families should not have to face the prospect of economic ruin when presented with serious family needs such as caring for a newborn, spouse or parent.

And this is -- there's -- an Implementation Report, referred to earlier, indicates that 74 percent of Connecticut children live in households where all parents work. And a lack of paid family and medical leave means the parents of these 550,000 children are unlikely to have the ability to take time from work to care for these children without a severe financial loss. And time spent with newborn and young children is necessary for their health, making access to parental leave an important indicator of the child's wellbeing.

And again, the burden of caring for adult family members is the same as well. This is something we talk about, the sandwich generation. And there are many people in this society raising children and caring for elderly parents at the same time. Connecticut is now literally surrounded by states that have passed paid family and medical leave. Massachusetts, New York, Rhode Island and New Jersey now all provide this critical benefit to their residents with significant financial and psychological relief not only to residents in the workforce, but also to those for whom they're providing this needed care.

We are now an outlier in respect to our region and this unfair. Not only unfair to our residents, it's also potentially a significant detriment to Connecticut being able to retain and attract the younger, highly-educated workforce that we all know
is absolutely necessary for the future health of our economy. And these are often young parents with young families looking for the kind of support structure that they expect when they are looking for a state to live and work in.

Finally, I believe it's significant that there was major bipartisan support for the most recently enacted comprehensive paid family and medical leave laws in our neighboring states, Massachusetts and New York and also Washington State. This bipartisan regional unanimity shows this issue does not have to be partisan here in Connecticut and I believe that we can, and for the future health of our economy, must come together across party lines to support this meaningful reform.

Senate Bill 697, AN ACT CONCERNING NONDISCLOSURE AGREEMENTS IN THE WORKFORCE, is also a significant bill. It's become frustratingly clear that nondisclosure agreements have harmed not only the victims of sexual misconduct, but have emboldened offenders and perpetuated a culture of complacency, and created secrecy that leads to additional victims. The nondisclosure agreements arise in two types of agreements that deserve our attention.

First, employers are increasing requiring employees to sign these NDAs as a condition of employment at the very beginning. These NDAs often include clauses that prohibit the employee from saying anything negative about the company, the common nondisparagement clause, or disclosing any nonpublic information, both of which can be used to silence victims of sexual harassment. For the victim who wants to speak out, often, when she might find herself contractually prohibited from doing so, so
that -- because she was given what she was told was a standard HR form signed at the start of her employment. These documents can be drafted broadly to prohibit discussing sexual harassment or assault without using those terms. As a matter of public policy, we should be commending the victims who come forward with their personal stories and their bravery has shamed offenders and employers into admitting their mistakes. The MeToo movement has inspired victims of workplace harassment to publicly share their experiences, and have seen that women are more comfortable sharing when they hear the experiences of others.

For too long women have blamed themselves or believed harassment is something just to be tolerated and endured as a condition of work. It is not. And silencing all employees with the use of NDAs perpetuates the status quo.

The second use of an NDA worth our review occurs after a victim informs her employer of workplace harassment or assault and there's an effort by the parties to reach a settlement. The employer often has an incentive to keep the matter confidential. Any settlement reached that avoids a prolonged litigation battle often includes an NDA. It was deeply disturbing to learn the victims of Harvey Weinstein and Larry Nassar were silenced by NDAs for years because we know now that these men continued to commit criminal acts after some agreements were signed with early victims.

Yet, we must be cautious if we are to limit the use of NDAs as in settlement agreements. The victim, understandably so, may wish to keep the matter confidential. There is a concern employers will be
less likely to settle quickly without the advantage of silencing victims, thereby lending to time consuming trials or mediations. Employers may offer lower payments for settlements if the victim is not prohibited from disclosing details of the matter. But while acknowledging these concerns, the National Women's Law Center, Leadership Conference on Civil and Human Rights, the National Alliance to end Sexual Violence and 50 other state and national advocacy groups have jointly identified the abuse of consequences of NDAs and called on congress to take action.

Were we to take action, we would follow — we would join fellow states that have responded in recent years to the growing criticism. In 2006, California became the first state to bar NDAs in civil cases if the alleged offence could also be prosecuted as a felony sex crime. In 2018, the State of Washington passed a law to prohibit employers from requiring employees to sign NDAs as a condition of employment. Arizona, Maryland, New York, Tennessee and Vermont also adopted legislation last year, in 2018, to put restrictions on the use of NDAs with regard to sexual misconduct. This is, again, a second, very important issue I commend the committee for hearing today.

And finally, Senate Bill 765, AN ACT CONCERNING FAIR AND EQUAL PAY FOR EQUAL WORK, is an important measure to continue to help close the wage gap between men and women here in Connecticut. While we certainly made progress last year with the passage of Public Act 18-8, there is still room to strengthen this legislation. By clarifying certain language and definitions we can remove loopholes and prevent misinterpretations.
Senate Bill 765 will take a look at a number of these instances. For example, the word, "comparable," is a new a standard on comparing positions held by men and women which is very close to the word, "similar," which was the previous standard in workplace policy and workplace pay. In Massachusetts, a new equal pay law that went into effect in July of last year defines, "comparable work," as work that requires substantially similar skill, effort and responsibility and is performed under similar working conditions. Comparable work is broader and more inclusive than equal work, which is the standard of the federal Equal Pay Act as it requires an analysis of the job as a whole. So, that substitution would be beneficial to make.

We also want to look at the operation of the seniority system. Many employers no longer use this system when deciding on wages and have moved on to a merit-based system. In many jobs, the value of any particular employee is subjective and ultimately determined by a supervisor without clearly measureable standards. This lack of transparency leaves opportunities to strengthen our laws in this area as well. And by making these improvements, Senate Bill 765 would be building off the progress previously made in providing greater equity for Connecticut's workforce.

Thank you to the Chairs and the committee for hearing these important bills today and for the opportunity to appear before you. Thanks again.

SENATOR KUSHNER (24TH): Thank you, Senator Looney. Thank you for your testimony on these issue, and thank you for your leadership on these issues. I do have a question for you. I know you've been in the
Senate for awhile and represented your district for quite awhile as well. And I assume in the time that you've been serving you've had opportunities to talk with a lot of small businesses about the issue of paid family and medical leave. And there's been a lot of testimony here tonight about the impact on small businesses, and I wondered if you could share what you've heard from small businesses in your district.

SENATOR LOONEY (11TH): Well, I have heard from some, actually, that they would welcome the requirement because it would help them to compete with other businesses, larger businesses that currently offer it perhaps. It's one of the areas under which small businesses find it difficult to compete with other employers with greater resources. And if they were able to say this is gonna -- this is standard for employment in Connecticut, in one area it would kind of close the gap between what they're able to offer with their modest, small business and what larger employers with greater resources are able to offer. So, I think it might help small businesses, or at least it's been reflected that to me, that it would help some small businesses as a recruitment tool and also a retention tool.

SENATOR KUSHNER (24TH): Thank you. Are there other questions for Senator Looney? Go ahead, Representative Polletta.

REP. POLLETTA (68TH): Good evening, Senator. Thank you for your testimony.

SENATOR LOONEY (11TH): Yes. Hello, Representative.
REP. POLLETTA (68TH): Who -- you mentioned a little bit about the larger businesses offering family and medical leave. Would they be exempt if they offer it already?

SENATOR LOONEY (11TH): Well, that -- I think that would be up to this committee to determine whether or not. The problem with offering it already is that they may not -- they would then the discretion potentially to discontinue it. So, and that's why I think it's better to have a standard requirement for everyone rather than leaving it to the discretion of those who may choose to or then may choose not to.

REP. POLLETTA (68TH): Under this bill, would a temporary employee have to pay into this trust?

SENATOR LOONEY (11TH): That, I'm not sure. That would -- obviously, the committee would look into that. But, obviously, if we could create an effective portable benefit, that somebody pays into it wherever they're working and aggregate the benefit.

REP. POLLETTA (68TH): Okay. What about a person with salary, that's on salary, for instance? So, they, you know, were paid like once a month.

SENATOR LOONEY (11TH): I think that would -- right. I think you just figure out what the -- you know, what the prorated amount is and then whatever percentage if set, if it's a half a percent, a half percent of salary as opposed to a half a percent of hourly wage, you know, both are relatively easy to calculate.

REP. POLLETTA (68TH): In terms of an hourly employee, how is weekly compensation calculated with various hours worked? So, for instance, if you're
working 40 hours this week but 20 hours next week. Is it the same standard across the board mandated for every paycheck that you get?

SENATOR LOONEY (11TH): I would think that probably -- that would probably be the best way to do it, to just, if you're applying a certain percentage, it would apply to every week of work at whatever hours were worked.

REP. POLLETTA (68TH): As far as the opt-out. We heard a lot about before you got here. If a company has, like, six employees or less, and the employee decides not to take this program. Do they have the option to opt out or is this a mandate across the board that would just be deducted for each employee's paycheck?

SENATOR LOONEY (11TH): I think that's a fundamental decision for the committee to make. I would recommend that it be standard because we do need to have enough assets in the fund to build it up so that it can pay claims when they're taken.

REP. POLLETTA (68TH): Okay. So, in essence, what you're saying for -- just if I'm understanding you correctly. We need people to pay into this fund otherwise it'll become insolvent.

SENATOR LOONEY (11TH): Well, I'm just saying that we need -- just as in any pool, you need as broad of participation as possible to make sure that the resources are there for those make the claims on it.

REP. POLLETTA (68TH): Because if only a few people paid in, we wouldn't have any money to pay out and then we would have to go through some act in the legislature to fund this line item, right?
SENATOR LOONEY (11TH): If we chose to, or the program would be inoperable.

REP. POLLETTA (68TH): Inoperable, correct. So, I spoke briefly about the loss of skill and talent. I'm hearing from many small businesses that if they lose an individual for up to three months a year, that perhaps they're gonna have, a) a problem replacing them and create more mental stress and headaches on the business owner, the small business owner. Remember these -- I don't have any large businesses, really, in my district. They're all under 20 employees. So, they're worried about people that they have to replace, employees, skilled labor that maybe has been there 20, 25, 30 years and now all of a sudden they're gone for three months. Have you heard some of that similar concern or is it just me? I mean, I don't -- have you heard that people are concerned that they're gonna lose workers for up to 12 months a year for, you know, perhaps --

SENATOR LOONEY (11TH): You mean 12 weeks.

REP. POLLETTA (68TH): Twelve weeks a year for perhaps, you know, someone that's equivalent to a family member?

SENATOR LOONEY (11TH): I have not heard a great deal of that. What I did hear was concern -- before employers understood the nature of it, they were concerned that, like some other states, they were gonna be required to pay something into the fund as a matching component. And when I assured them that they were not and their only responsibility was administrative to make sure the money was done as a payroll deduction and then placed in the fund, they were greatly relieved at that point.
REP. POLLETTA (68TH): So, in essence, the business owner doesn't incur any direct costs due to this proposal?

SENATOR LOONEY (11TH): No, not unless -- just the administrative costs of the payroll deduction process.

REP. POLLETTA (68TH): And a sole proprietor would be able to opt out. Therefore, if I have -- if I'm a painter and I just paint homes and I have nobody working for me, I can opt out and not pay into this fund at all?

SENATOR LOONEY (11TH): I would -- well, that would be the discretion of the committee to set that level. Obviously, if you were a sole proprietor you are in effect paying yourself anyway -- in anyways.

REP. POLLETTA (68TH): Right. So, what would -- and if I'm reading the bill correctly. Again, I haven't dove into it as much as probably I should. But if an individual is a sole proprietor and they're a painter, and they decide to hire other painters as independent contractors. They wouldn't -- the individual that is performing the work as an independent contractor -- so, in essence, instead of hiring two or three workers under my painting company, I could just hire another independent contractor. Give them a 1099 at the end of the year and say hey, thanks for doing these four or five jobs for me throughout the year, right, as a way around this.

SENATOR LOONEY (11TH): Well, that's -- I think that would be something that the Department of Labor would have to examine whether there were tactics being used to evade the law. The people, that they
were in effect acting -- we hear this in other contexts, where people who really are in effect performing the function of employees, but are designated as independent contractors for various purposes. That's an ongoing discussion --

REP. POLLETTA (68TH): Of course. If I'm understanding the law correctly, I think, you know, if you're an independent contractor -- if you're a sole proprietor and you can't handle a job, let's say, in the month of July, you're gonna get a friend that has their own business and just say hey, can you do this job? And that happens every day.

SENATOR LOONEY (11TH): In that case, that other person probably truly is an independent contractor if he's someone who does have his own company separately. Correct.

REP. POLLETTA (68TH): Right. My final question here has to do with are states competitive with Connecticut. I think we've heard a great deal about Connecticut being the least competitive state -- one of the least competitive states in the country in terms of to do business in. Right? I mean, we've heard this all the time. There's all sorts of surveys. There's all sorts of analysis showing residents leaving, you know, businesses relocating. So, would this tool, would this bill necessarily create an environment conducive for job growth to let a business that, let's say, wants to locate to Connecticut. Are they gonna just run here because we have FMLA and say, hey, you have a great FMLA program, I want to locate to Connecticut? I mean, would that -- in your opinion, would that be a reason why a company would, let's say, relocate from
South Carolina to Connecticut because we offer this or we mandate individuals to pay into it?

SENATOR LOONEY (11TH): I don't think it would be something that would motivate the decision to move necessarily because there's always a complex of other issues that come into play. But it might choose a company to move to Connecticut because we have this program as opposed to one where the employer has to pay something into the fund as well.

REP. POLLETTA (68TH): And if there is no mandate to pay into the fund, what is there to be said that there would actually -- it would even be offered? Like, is South Carolina offering this? Is North Carolina offering this? I mean, states that are admittedly and statistically doing better than us, are they offering this program that, let's say, Connecticut wants to be on the same level as them to retain that large business, let's say, to relocate to Connecticut? I mean, I'm concerned about our competitiveness with other states. Are they offering this same program, the states that are, let's say, doing better than us economically and statistically?

SENATOR LOONEY (11TH): Well, I think that raises a broader question about what does it mean to be doing better. Many would say that quality of life in Connecticut is better than South Carolina in many ways, with greater amenities and all of that. For instance, I think the quality of life in Connecticut is better than most other states because Connecticut is not a right-to-work state.

REP. POLLETTA (68TH): Okay. So, as far as the State of Connecticut goes; the question that really bothers me and, I guess, as a small business owner,
as someone who really wonders if this was so good, why is the State of Connecticut exempt? Why are the employees exempt from it? I just don’t understand it.

SENATOR LOONEY (11TH): Well, I think the State of Connecticut employees generally enjoy very good benefits, and obviously this is within the discretion of the committee to look at the reach and scope of the bill.

REP. POLLETTA (68TH): But employers in my district enjoy phenomenal benefits. My employees have two weeks paid vacation, you know, very little co-pay when they get their eye care, dental, you know, their doctor visits. So, I admit it, Connecticut has wonderful insurance. I have wonderful insurance. But I think I should be subject to the same playing field as an individual that's on Main Street that's paying into this fund. Why exempt the State of Connecticut? I mean, you just said admittedly that this committee should decide that.

And if we're gonna go forward with the bill and in the interest of fairness, in the interest of we're all on the same playing field here in the State of Connecticut, we should all pay into it. No one should be exempt from it, and certainly not legislators in the State of Connecticut. I don't think our workforce should be exempt from this. If we're gonna do it, everyone should get it. I think if it was so good, then everyone should have the opportunity to purchase it and actually mandate it to get it if it was that good. Right? I mean, I think that's a fair statement. If it's that good, then why not make it good for everybody?
SENATOR LOONEY (11TH): I think -- in many cases, people in Connecticut are able to take paid leave for extended periods of time through various components of the health insurance plan that they -- that they have. And also, in terms of competitors, I think we have to look at -- our role is to be competitive in our region, and I think our neighboring states have already adopted plans either similar to this or even more generous than this. And I think that's the niche that we operate in in the northeast and I think that's our relative base for comparison. Not South Carolina or Mississippi.

REP. POLLETTA (68TH): Okay. Thank you, sir, for your answers. I appreciate it.

SENATOR LOONEY (11TH): Thank you. Thank you.

SENATOR KUSHNER (24TH): Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. Good evening, Senator.

SENATOR LOONEY (11TH): Good evening, Senator Miner.

SENATOR MINER (30TH): It sounds like you may be dealing with somewhat of a cold as well?

SENATOR LOONEY (11TH): I am, yes. It started earlier this week.

SENATOR MINER (30TH): It must be coming through that magic door downstairs.

SENATOR LOONEY (11TH): Yeah, or I caught it from my grandchildren who are in preschool and are little Petri dishes.

SENATOR MINER (30TH): Well, that's actually a good thing. (Laughter) So, I -- for those that don't understand the process, I mean, we have limited
opportunities to try and figure out what's behind a concept and what the thought process might have been. And am I correct that you're kind of intimately involved in the development of this language?

SENATOR LOONEY (11TH): Well, we -- I was involved in the concept and development of the bill and advancing it. Senator Kushner and the committee and Representative Porter are the ones who are involved in the detailed structure of this year's bill, beginning with last year's bill as a model.

SENATOR MINER (30TH): And so, through you, Madam Chairman, the reason for the question is I've had the opportunity to inquire of some members of the public and my sense is that at its root, paid family and medical leave has a lot of support. And maybe amongst employers there is some modicum of support and then amongst some others, they just can't see their way to the finish line. And so, when I look through the language and see how it's different from years past, I can't -- can't help but notice that there seemed to be some perhaps anticipation that it may not be as solvent as it could be. At least there seems to be a mechanism for provide more revenue and no mechanism to provide less benefit in an attempt to maintain solvency. Am I correct in the read of this?

SENATOR LOONEY (11TH): Well, I'm not certain what -- how that can be answered overall. But I do think that the key issue in that is to determine what the replacement wage is gonna be, or the replacement -- what level of replacement income there will be for those who take advantage of the program. And I believe the current draft structured it would be 100
percent replacement up to $50,000 dollars of income. But then beyond that, obviously, with $50,000 dollars as the cap, the more money you make, the smaller replacement percentage there would be.

And I think that's based upon the generally commonsense policy that the lower your income, the more likely it is you're living in a pretty tight margin and, you know, you would be in a position of great hardship if you didn't have most of that income already. So, if somebody at $100,000 dollars a year is getting $50,000 dollars, obviously that's a significant curtailment, but it may not lead to the dire consequences of somebody making $30,000 dollars whose income is suddenly reduced to $15,000 dollars. And I think that's the theory behind that, the way the cap is structured in the bill.

I mean, obviously, that continued -- the cap issue needs to be continued to be evaluated in terms of analyses of solvency. In other words, you know, at what level of income are people likely to be at who are most likely to put in claims, so. But obviously, someone whose income is $50,000 dollars a year would have the same cost to the fund as someone whose income was $150,000 dollars a year, you know, with that cap. But that seems to me to be a reasonable way to approach it.

I think if you move higher and allow for higher levels of replacement income at higher levels of income, then you do have a very expensive fund that probably would be difficult to maintain solvent. So, if you are gonna pay, say, two-thirds or three-quarters of the salary of somebody making $150,000 dollars a year, then you're talking about a very expensive fund to maintain.
SENATOR MINER (30TH): So, through you, Madam Chair, my --

SENATOR LOONEY (11TH): Or you're gonna require a much larger contribution into the fund to try to make it solvent.

SENATOR MINER (30TH): So my -- thank you. So, my question is, as it relates to the bill as it's currently drafted, there's language in the bill that sets out what the payment -- what the amount that would be paid out to someone would be. There's also language in the bill that speaks to if the administrator determines that there's no longer sufficient funds to maintain that level of payout, the mechanism by which the legislature may or may not approve an increase in the threshold against which that half of one percent can be charged.

My question is -- I don't see anywhere in here where the administrator or the legislature has the ability to reevaluate whether the threshold at $1,000 dollars is too high and so the presumption amongst those that have looked at the language in the past and now is that it's always on the way up and there's no attempt, there's no mechanism to perhaps cap it at a lower amount. Despite what our best efforts and our interests might be, it may just be too rich. Am I correct that that's not in this bill?

SENATOR LOONEY (11TH): I'm not -- I believe it may not be, but obviously it's within the discretion of the committee to add it. But also, I would think that once you get to the point where evaluation of the fund indicates that it may not be solvent at the levels that we set, it would be -- it would be incumbent upon the legislature to take additional
action or the administrator of the fund, if empowered to take action, to suggest those changes. Because if the commitment has been made to create the fund and solvency becomes an issue, then, obviously, at that point, consideration of both the contribution levels and the cap on benefit levels would have to be made in the interest of solvency.

SENATOR MINER (30TH): And through you, Madam Chairman, have you or anyone within your organization, the Senate Democrats, run the numbers to get a sense of whether or not this mathematically works?

SENATOR LOONEY (11TH): I believe we've been relaying upon OFA.

SENATOR MINER (30TH): And so those numbers are, I would -- are they readily available to everybody?

SENATOR LOONEY (11TH): I would defer to the chairman on that question.

SENATOR KUSHNER (24TH): I believe that it was based on a study that was commissioned by the legislature in 2016. And so there was a DOL study that was commissioned and it was through that study that these amounts were determined. And I believe they were actuarially sound.

SENATOR MINER (30TH): I just got nudged by my good friend, Senator Osten. I'm not sure what that means. I don't know if she's hungry.

SENATOR OSTEN (19TH): That means that we have a lot of people that would like to talk and we'd like to get them all done before dinner. (Applause and Laugher) That's what that means. Especially, there's a nice little baby over there.
SENATOR MINER (30TH): See - see and this is why I always count on Senator Osten to make sure that I stay in line. How's that, Senator? (Laughter)

UNKNOWN SPEAKER: We all do. (Laughter)

SENATOR MINER (30TH): I feel your pain.

UNKNOWN SPEAKER: Oh, it's not pain. It's a great resource to have.

SENATOR MINER (30TH): So, you know, I don't know if you heard Eric Gjede from CBIA. I have to say that I -- to one degree or another, my constituents, the business community, is increasingly fidgety over kind of the number of ideas that the legislature has taken up this year with regard to business, business liability employees, the relationship. And among all of them, this one is the one that's got them most nervous.

Not that they don't have a good relationship with their employees, not that they don't have a relatively successful business model, but what I'm hearing is that depending on what your threshold is for tolerance within your business, losing someone for a certain period of time becomes a bigger issue. And if it's made more affordable, obviously, that becomes a more likely event than an unlikely event, which may sound somewhat self-serving, but these are the same businesses that we've asked to do a number of things before.

And so, you know, that's kind of the crux of I think the questions with regard to this legislation. It's not -- I haven't had anyone say to me ever that they're disinterested in providing benefits to employees or they don't care. They choose to try and deal with these events in different ways. But
this is gonna standardize how they're gonna have to deal with it, and that, to many, is kind of the problem. So, I appreciate all the work that you've put into this.

In deference to my good friend, Senator Osten's nudging, I don't really have any more questions of you. But I wanted to make sure you understood that it's not -- it's not a necessarily an either/or issue for many of my constituents. It's a how do we get there, and I'm not sure I can see how we get there yet. So, thank you for being here. I do hope you feel better. Thank you, Senator.

SENATOR KUSHNER (24TH): Representative Winkler.

REP. WINKLER (56TH): Yes.

SENATOR KUSHNER (24TH): Sorry, my mic wasn't on.

REP. WINKLER (56TH): Yes. Senator Looney, I appreciate you being here. I'm a big fan of your work in the Senate.

SENATOR LOONEY (11TH): Thank you, Representative.

REP. WINKLER (56TH): A quick question. I heard that there was some fear that the fund wouldn't be solvent. And then I heard there was a way to increase the revenue into the fund if the manager decided that more revenue was needed. Could you describe the mechanism?

SENATOR LOONEY (11TH): Well, I think it's just there'll be an ongoing evaluation of solvency and I think it would be incumbent upon the managers to recommend either a potential reduction in benefits or potential increase in the contribution level just to sustain solvency as we go along.
REP. WINKLER (56TH): Now, written in S.B. 1, I believe, is a clause about taxing above the Social Security maximum?

SENATOR LOONEY (11TH): I think so. Yes. Because the Social Security maximum we know has went to $132,000 dollars a year, right. So, that obviously is one way to raise additional revenue into the fund, to have incomes, you know, above that level subject to the half percent as well, which is something that, obviously, in terms of Social Security from time to time, they enhance the solvency of the fund by looking at an increase in the maximum salary level that the Social Security deduction applies to. And -- but at the same time, obviously, it would mean that -- coupled with the cap, it would mean that those above a certain level would be still contributing to the fund, but their benefit would be in effect capped at a lower percentage of their current salary. So, obviously, you know, if somebody was making $150,000 dollars, as I said earlier in a discussion with Senator Miner, or the Representative, you would then have somebody under the bill getting a third of their pay as their maximum benefit, at the $50,000 dollar level, if it were set that way.

REP. WINKLER (56TH): If the administrator decided that he was going or she was going to increase, you know, the amount of income which is subject to the one-half of one-percent tax, the legislature would have to make an affirmative action to stop that. Otherwise, after 30 days, it would go into effect?

SENATOR LOONEY (11TH): I think that's right. I haven't looked at that provision very recently, but I think that's right.
REP. WINKLER (56TH): Thank you, Madam Chairman.

SENATOR KUSHNER (24TH): Okay. Well, thank you, Senator Looney, for being here. And again, thank you for your leadership on these issues.

SENATOR LOONEY (11TH): Oh, well thank you very much and I want to thank this committee for taking up these important bills this year and for moving forward in leadership, as the committee usually does. Thank you.

SENATOR KUSHNER (24TH): Thank you. So, we would be next going to our public for the next person to testify, but I would again ask your indulgence. I know this is a really friendly crowd to babies, so I'm gonna take a shot at this and say that perhaps you would let Senator Marilyn Moore, who has a constituent with her who has a very young child, approach and testify next. Come on, the last time I said that you all clapped. (Applause) Thank you. I need affirmation here that I did that right. (Laughter)

SENATOR MOORE (22ND): First of all, I appreciate your indulgence in letting us go. Senator Osten, Kushner and the Ranking Members and Vice-Chair Hall, I appreciate this opportunity. You know, it's one thing for our legislators to come and share what's going on in their lives. It's another when you have people that you actually know who experience crises in their lives and barriers to raising their families. And I have with me Kristianna Smith, who's going to share her story. Thank you.

MS. SMITH: Hello everyone. Thank you to the room and thank you to the members.
Dear members of the Labor and Public Employees Committee of the Connecticut General Assembly. My name is Kristianna Smith and I live in New Britain, Connecticut. I stand in support of S.B. 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and H.B. 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

In September of 2017, my husband, a therapist, decided that to round out his life he would begin Muay Thai kickboxing. That endeavor resulted in a knee surgery, but that's not the story that I want to tell you. In June of 2018, we welcomed our first child into the world, Rosaria Jade. My husband had six weeks of partially paid leave, which was a blessing. It meant that our bills were covered. And during this time, he made sure that I ate and he changed about 97 percent of our newborns diapers. This is also not the story that I want to tell you. I just want you to have an idea of the type of man that my husband is; a kickboxing therapist who changes poopy diapers.

In November of 2018, I drove my husband to the walk-in clinic. The clinic referred us to the ER and then suddenly he was being admitted and no one could tell us what was wrong. What followed were four days of me driving back and forth from the hospital to our apartment, taking care of my then 5-month-old daughter while being by my husband's side. I stayed up terrified at night that I would get a call that he was no longer with us. And during all of this, my husband's greatest concern was that he wasn't working.

You see, I am self-employed and I've cut back in order to take care of our daughter. My husband had
recently become self-employed, meaning that we had very little savings and only community to support us. And luckily my husband was able to quickly return to work. But what if he wasn't? And 2018 was my wakeup call, a surgery, a birth and a hospital visit; proving that our lives are short and our time with our loved ones precious.

My husband and I promised to be there with one another come rain or come shine. And I find it inhumane that I might have to leave his hospital bed in order to make sure the rest was paid. I -- there -- (clears throat) I find it inhumane that there are parents right now who don't have the luxury of arguing over who gets to change poopy diapers because they both have to go back to work in order to put food on the table and -- but these are the decisions that thousands of families have to choose between without paid and family medical leave.

I should not have to be wealthy to spend time with an ailing parent. Maternity leave should not be a right only afforded to middle-class workers. But if you fail to pass this bill, that is what you are telling the citizens of Connecticut. That to care for our spouse, our child or our loved one at their most vulnerable hour is only a privilege granted to those of higher stature, which in our state translates to predominantly white families.

I believe that the role of government is to do collectively what we cannot accomplish individually. But in the case of paid family and medical leave, I believe that you are returning a right that has been taken from us; the right to care for our loved one no matter our wealth, position or power. I strongly support S.B 1 and I hope that the committee and the
Connecticut lawmakers will vote favorably this year to make paid family and medical leave a reality for all Connecticut workers. Thank you so much for your time.

(Applause)

REP. PORTER (94TH): I'd ask you to hold your applause, please. Thank you and thank you for your testimony. Any questions or comments from the committee? Well, I would just like to say thank you for your testimony and thank you for sharing your heart. I came in once you'd gotten started, but you have spoken truth to power and I appreciate that. And I hope that everyone was listening. We'll take what you said into consideration.

MS. SMITH: Could I just say one more thing quickly?

REP. PORTER (94TH): Absolutely.

MS. SMITH: I've been listening to the conversation and several times sole proprietors have been brought up and my husband and I are both recently sole proprietors. And it's our intention to do that in order to make a better life for ourselves. And we would be more than willing to pay into -- we're honest people and we would be more than willing to pay into a fund like this. And I just wanted to say that because several times that's not been the light that's been shed on people like us. Thank you.

REP. PORTER (94TH): Thank you. Yes, go ahead, Senator Moore. How are you?

SENATOR MOORE (22ND): I'm good.

REP. PORTER (94TH): Great to see you.

SENATOR MOORE (22ND): Appreciate it. Thank you.
REP. PORTER (94TH): You're welcome. Have a good night. Next up, we have from our public list, Jennifer Walton and Yeda White, Yada? And please forgive me if I am betraying your name. Correct me if you need to. Good evening and thank you for your patience.

MS. WHITE: Good evening. So, actually this evening -- good evening, to Senator Kushner and Representative Porter and members of the Labor Committee. I am Yeda White, an AARP volunteer and I am from Windsor, Connecticut. I'm also a human resources professional specializing in diversity inclusion and leadership development, and co-founder of my HR Team LLC. I will testify today with a personal experience as a breast cancer survivor and I'm here with my colleague, Jennifer, and we are in full support, to offer our strong support for S.B. 1 and H.B. 5003. Jennifer.

MS. WATSON: Good evening. I'm Jennifer Walton, an AARP volunteer, who lives in Ansonia. I support paid family leave based on my experiences as a family caregiver. I moved back to Connecticut last year, leaving a career of 19 years. I moved to help my parents while my dad, who already had serious health conditions, was diagnosed with colon cancer. My husband, with limited job opportunities, has stayed behind in Denver to continue working and provide me with health care. This has not been easy.

Despite the emotional, physical and financial challenges of the past year, I am where I need to be right now. I've assisted in coordinating my father's medications, emptying his catheter, providing his nighttime oxygen and breathing
treatments. I keep on top of his appointments with over seven-plus doctors as well as many therapies. My mother had a stroke in 2015 and has continued memory loss. She often falls asleep from pure exhaustion and sometimes forgets to take her medication. So, my presence is very necessary.

For me, being a caregiver is a full-time work and is the most challenging job I have ever had. That is why I'm asking for you to make paid family leave a reality in Connecticut. Although the program under consideration would not apply to my particular situation, due to the amount of time I have had to take off of work, many family caregivers have no choice but to juggle employment and care-giving duties. For the 60 percent of caregivers who unlike me are unable to leave their jobs and be fully dedicated to taking care of their loved ones, paid family leave would provide job protection, flexibility, and financial security at a difficult time. Thank you.

MS. WHITE: Many of our AARP volunteers that you see in the room today have their own care-giving stories. Barbara from North Haven has spent most of her life providing care to a sister with a traumatic brain injury, a mother with heart disease, and a husband with cancer. Stacy from Trumbull depleted her savings and went into debt as a caregiver for her father. Mike from Northford was able to keep his mother with Alzheimer's out of a nursing home by sharing care-giving duties with his brothers and a home health aide. Carolanne from West Hartford had to take extended periods of unpaid leave from her job to coordinate care for her mother and disabled sister.
I mentioned in the beginning that I am a cancer survivor. And shortly after moving here to Connecticut from New Jersey for my dream job, I was diagnosed with ductal carcinoma. I was here, a divorcee, living alone in Connecticut in a new place with a new job. I had to become my own caregiver and my own health advocate. And I was armed at that time with four weeks of vacation because I had been with this employer for a long period of time and a couple of personal days and unpaid family leave. So, during the course of the year that I had to go through this treatment, basically on my own, I was lucky because I worked for a Fortune 100 company, my employer values what I was bringing and was flexible and supportive. So, I was able to use my vacation time and my personal time and my unpaid family leave, not in a block, one block, but over a period of time while I was going through treatment.

I never really had to lose time from work because my employer was flexible and allowed me to work at home days that I had to. But I was one of the lucky ones. Everybody here doesn't have that opportunity. They don't have that support from their employer. So, I recognize that and I think that paid family leave is something that just helps hundreds and hundreds of employees.

I want to also talk about the importance of that from a business perspective because I worked in that corporation for 34 years before I retired and went out on my own. And so from a human resources perspective, I was involved in a lot of recruiting and trying to get people to relocate to Connecticut. And others have talked about the challenge of retaining people and getting them to move to our state. And this is one of the ways because very
often individuals with young families are looking for the types of benefits that companies can offer them and how -- what kind of neighborhoods they can live in and what kind of school systems they have. But also, our state is aging, as I'm an AARP volunteer, and so the needs of companies and organizations have changed and then they present different challenges to the businesses.

During -- when workers are able to take care of themselves and their families, businesses benefit through retention, productivity, morale. I stayed with this company for almost ten years after my diagnosis because I was grateful for them working with me and I was able to tell everybody what a great company it was. There's a Harvard Business School published report about how businesses have not adequately addressed increasing employee care-giving obligations. The report warns - Businesses will ignore the looming care crisis at their own peril.

Connecticut's 65-and-older population is expected to grow by 43 percent by 2030. If Connecticut wants to strongly compete for talent and remain competitive, especially as our state ages and more working adults take on care-giving responsibilities, we must do what all of our neighboring states have done and create a statewide paid family and medical leave program. Thank you for your time. Any questions for us?

REP. PORTER (94TH): Thank you. Any questions from the committee? Seeing none. I would just like to say thank you for taking the time to come in and testify this evening. And thank you again for your patience.
MS. WHITE/MS. WALTON: Thank you.

REP. PORTER (94TH): You're welcome. Next up we have Senator Winfield. Good evening, Senator.

SENATOR WINFIELD (10TH): Good evening. Thank you for having me, Chair, Ranking Members and other members who have stayed here today listening to those who have come and those who are going to come. I'm going to talk about my kids again, as I did last year. Last year, they were just born so I didn't have these nice pictures of them.

And this kid is my son. My son is the subject of what I want to talk about because my son, like my daughter, was born premature. We found out we were pregnant and that we were going to have children and it was awesome. Well, we thought we were gonna have a child at first, of course. Then we found out we were gonna have children, so we went to the doctor and we found out the due date was March 25th. Because they were twins we knew that they would come early. They told us March 11th, which was awesome for me because that's my birthday. But the pregnancy was a difficult pregnancy.

We spent a lot of time in a hospital and they came a little earlier than that. When they came, they spent time in the NICU. And so the place where I work outside of this building I don't have paid family and medical leave, at least I didn't at the time. So, when they came, you know, I would be the father and we'd go and visit them in the NICU, while my wife would be in the hospital and spending more time in the NICU. And I guess that would've been fine except one of the requirements to get out of the NICU in addition to gaining weight is that the child has to be able to eat on their own.
And I don't know why, but for some strange reason my son wouldn't eat with anyone but me. (Tearful) So, I have to go to work and I'm useless at work because I know that he is not eating unless I'm there. He wouldn't even eat with Mom. I know we're talking about the businesses. I know we're talking about the impact on a lot of people. But this is a bill that is a lifesaver, literally.

I wish I could've been there to feed that kid so we could've got him out. His sister got out and he was still there. I mean, you saw the picture. He's fine now. But we had no idea what was gonna happen with this kid. The greatest thing that ever happened to me was also the scariest thing that ever happened to me. That's what this bill is about. That's what underlies this. A lot of people on both sides of the aisles have said we support the idea. I believe it. If we support the idea then -- this is a building full of people with a lot of imagination. I just ask you to imagine more than no as your answer. Thank you.

REP. PORTER (94TH): Well, thank you for your testimony, Senator Winfield. I certainly feel your pain. I went through that with you. I know that story intimately. I know it even more intimately because I went through it with my daughter who was premature, 1 pound, 11 ounces, and I had to go to work and leave her in NICU, not knowing that if and when I came -- when I came back if she would still be there. And if something was going wrong would I be able to make it there in time to be with her. I had to sign papers because she had an issue with her heart valve closing. It would stay open which it was supposed to naturally do, but because of the premature nature of her birth, it kept closing.
I thank you for sharing that story. Because this is what I've said time and time again. This bill is about life and death. This bill is about the most important people, us. Everyone's born into a family. Someone said it today at the presser. As a matter of fact, I think Christine McCarthy-Vahey said it while she was here. And I think that we have to stop putting a price on things that are priceless and that we have to find a way to make things work. And I know small businesses in my district, in our district that have done just that. They can't afford it, but they found a way to make it work and they found a way to get the work done while the person is out on leave and they've actually found a way to pay them. And I think that's a burden on companies, to have to do that when we have a bill that's been crafted where it is 100 percent employee funded.

So, I thank you for having the intestinal fortitude and the courage to sit there and just being naked and not ashamed before this committee and the people here that will testify after you're done. Any questions or comments? Senator Kushner.

SENATOR KUSHNER (24TH): I also want to thank you for testifying and I've seen a lot of pictures of your kids and they're adorable and beautiful.

SENATOR WINFIELD (10TH): I try not to go on, people.

SENATOR KUSHNER (24TH): No. It's always fun to look at them because they're gorgeous. But I hadn't heard this story as you just told it. And I think it's a really important story because it reminds us why we're doing this and it reminds us what our priorities are of this state, so that we take care
of each other and take care of every employee so that they have the opportunity to be with their children in need or to be with their parents when they are in need, or when they themselves are sick. So, I really thank you for sharing those details so we remember what this is all about. Thank you.

SENATOR WINFIELD (10TH): Thank you.

REP. PORTER (94TH): Any further comments? Thank you again, Senator Winfield, and thank you for your patience this evening.

SENATOR WINFIELD (10TH): Have a good evening.

REP. PORTER (94TH): You as well. Thank you. Next up we have David Denvir. And David Denvir will be followed by Senator Wood. I'm sorry. I gave you a promotion. Representative Wood.

MR. DENVIR: Good evening and thank you, Representative Moore, Senator Kushner, Senator Miner, Ranking Senator Miner and Ranking member, Representative Polletta. My name is David Denvir. The room has, for all the right reasons and appropriately, been hanging on the words of people who have been here to testify. So, please let me say sincerely and I mean no disrespect when I say that I'm here to talk about something other than paid family leave. I don't mean that to be comical. It's an important issue, but I'm moving on to something else because that's why I'm signed up to testify about.

I am employed by Companions and Homemakers. Companions and Homemakers is a wonderful Connecticut success story. It's a homegrown Connecticut corporation founded in 1990 by a woman, a remarkable woman, who still runs that company today. And that
company employees more than 2,500 homecare workers, caregivers who go into the homes of our seniors throughout the State of Connecticut and provide vital and needed homecare each and every day. The company provides that care both to individuals who have secured the services privately as well as many, many individuals whose care is funded through one of Connecticut's Medicaid programs, known as the Connecticut Homecare Program for the Elders.

I am here today to address House Bill 6913, which is currently captioned AN ACT CONCERNING COVENANTS NOT TO COMPETE. Employment covenants have been around for decades in many industries. And because they exist in different industries, they exist in different forms. While the text of 6913 is not out yet, so I'm not certain the direction of that bill, I would welcome this opportunity to speak to the committee with regard to how employment covenants are used in the homecare industry.

It would be a misnomer to call homecare covenants non-compete covenants because they are not. They are at best non-solicitation covenants, and I will tell you how they work in the homecare industry. There are more than 600 registered homemaker and companion agencies in the State of Connecticut and there are easily 10,000 or more homecare clients in the State of Connecticut. The non-solicitation agreements are extremely narrowly tailored and I can tell you how the agreement of companions and homemakers works.

Our agreement specifically says that that caregiver can work for any one of the 600 agencies that they want at any time. At any time. The agreement says that they can work for any one of the 10,000 or more
homecare clients that they want at any time, with
the following exceptions only. For a period of six
months and no more than six months, if their
employer has matched that caregiver with a specific
homecare recipient, for a six-month period that
employee cannot outside of their employment with
that employer privately provide services or for
another agency provide services to that exact same
client.

So, out of 10,000 or more homecare recipients, an
employment covenant in homecare only applies to
three, four, five, six out of maybe 10,000 and it
does not apply to any other homecare agency. So,
these agreements do not restrict or restrain
employment. They do not restrict or restrain
competition in any way. These agreements are
essential to sustaining the agency model of
homecare.

There are three homecare models in the State of
Connecticut. One is called a registry. That's just
a referral service. That's all it is. The other is
a self-directed model which is a form of a registry.
And none of those models provide the following
employment securities that employee -- excuse me --
that employees deserve. None of them provide all of
the above on employment benefits, worker's
compensation, health care, OSHA oversight, being
subject to the regulations of the Commission on
Human Rights and Opportunities. Our company, for
example, also offers a company-matched 401K and
employer-paid health insurance. And as an agency
employer, we're subject to regulation by the
Department of Labor, the Department of Consumer
Affairs.
That is the only homecare model, the agency model, that provides all of those important employer protections and of course, FMLA, as a large employer who most provide what is currently an unpaid employee benefit. So, I thank the committee for an opportunity to clarify any misconceptions in terms of the types of employment covenants in homecare. I hope as the committee crafts 6913 it will keep this in mind. And I welcome at any time questions from the committee or the opportunity to meet and discuss with you or members of your staff about employment covenants in the homecare industry.

REP. PORTER (94TH): Thank you for your testimony. I just -- I would just ask one question. What types of employees does this bill seek to protect?

MR. DENVIR: Representative, I can tell you that I have heard -- the text of the bill is not out so I cannot tell specifically what it addresses, but I have heard that the proponent of the bill intended this bill to apply toward either retail workers or workers in the fast food industry. But again, I just want to emphasize so there's no misunderstanding, that's just what I've been told from other sources.

REP. PORTER (94TH): Okay. Thank you. Any questions or comments from the committee? Seeing none. Thank you, Mr. Denvir, for taking the time to come and testify tonight.

MR. DENVIR: And thank you for your stamina this evening. Thank you.

REP. PORTER (94TH): You're welcome. All right, next up we have Representative Wood. Good evening.
REP. WOOD (141ST): Good evening. Chairman Kushner and Porter, Ranking Members Miner and Polletta, and members of the Labor and Public Employees Committee, my name is Terri Wood, State Representative for the 141st District, which is Norwalk and Darien. Thank you for allowing me to testify in support of House Bill 6111, AN ACT AUTHORIZING EMPLOYERS TO ENROLL EMPLOYEES IN DIRECT PAYCHECK DEPOSIT PROGRAMS.

This is very simple legislation that will benefit employees and employers in companies with 25 or more employees. Currently, employees must opt-in for direct paycheck deposit programs. The benefits of this legislation are 1) employees will receive their funds faster via direct deposit versus check, 2) if employees are currently unbanked and receiving a check, they are likely utilizing a check cashing service and incurring fees from $3 dollars to $10 dollars a paycheck. Most of these employees are paid weekly, so annual fees could be around -- from $150 dollars to $500 dollars. Getting unbanked employees comfortable with the banking system in general is important. Most mid-sized or larger banks have bank-at-work privileges that can be extended to employees. No fees and better lending rates. Also, employers are already allowed to pay employees via pay card, which is essentially a preloaded debit card, which is a debit card with a checking account attached to it. So, these are -- those are the benefits for employees.

For businesses, it's all about efficiency. It's cheaper, no lost checks, no outstanding checks, and no processing fees. Finally, Connecticut requires government employees to be paid via direct deposit, so why not extend that same benefit to all our Connecticut businesses? Employers already have
fiduciary obligation to manage employee 401K money investments. I think most employers are responsible enough to ensure their employees are paid properly via direct deposit.

Thank you again and I'm happy to answer any questions.

REP. PORTER (94TH): Thank you, Representative Wood. You have certainly piqued my interest with this bill. Just one quick question from me. If an employee was to opt out, would there be a delay in them receiving their paycheck? How would that work?

REP. WOOD (141ST): I'm not in payroll. It wouldn't be a delay from -- so, direct deposit; it goes right into the bank. So, it's gonna be a delay of two days, two or three days, whatever it takes for the mail to get there. That's my -- unless that answer is different, I will let you know.

REP. PORTER (94TH): All right. Thank you for that. Any questions or comments?

REP. WOOD (141ST): It's a fair question.

REP. PORTER (94TH): Representative Hall.

REP. HALL (7TH): Just a clarification. So, we're not requiring employees to receive -- or have direct deposit. What we're saying is that they would have to opt out as opposed to opt in?

REP. WOOD (141ST): Correct. Because most of -- some of these employees just don't know that they can and the benefits really accrue to them as well as the company.

REP. HALL (141ST): Okay. All right.
REP. WOOD (141ST): And the State of Connecticut already requires it.

REP. PORTER (94TH): Any further questions? Seeing none. Thank you so much for your patience this evening.

REP. WOOD (141ST): Well, thank you all for -- it's a good day, important day.

REP. PORTER (94TH): Yes it is.

REP. WOOD (141ST): Yeah. Thank you.

REP. PORTER (94TH): Thank you. Have a good night. Okay. Next up we have Barbara Munck with AARP.

MS. MUNCK: Greetings.

REP. PORTER (94TH): Good evening.

MS. MUNCK: Is this one? Yeah. Greetings member of Labor and Public Employee --

REP. PORTER (94TH): I don't believe it's on, Ms. Barbara.

MS. MUNCK: There it is.

REP. PORTER (94TH): Thank you.

MS. MUNCK: Okay. Greetings, members of Labor and Public Employees Committee of the Connecticut General Assembly. My name is Barbara Munck. I am an AARP volunteer from North Haven. I would like to express my support for Senate Bill 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and House Bill 5003, AN ACT IMPLEMENTING SUCH.

I have been a family caregiver at all stages of my life and I would like to receive care if I need so in the future. As a matter of fact, I received that
this evening. Since I did not have my evening pills with me, my daughter drove up from North Haven to deliver them to me. This will be the start of what I expect of her in the future. (Laughter) Most of us are, have been or will be a family caregiver or will ourselves need the help of a loved one to live independently.

Family caregivers are the backbone of Connecticut's long-term care system. They are the first line of assistance for most people, helping to make it possible for older adults and people with disabilities to remain at home, and live with dignity and independence. As a mother, daughter, wife, sister, I relied on others to help with care giving. I watched my divorced parents care for my traumatic brain injured sister for decades in their homes with the help of services during the day and when they worked. My late mother had heart disease for 15 years and was diagnosed with dementia months before she died in 2005.

I watched my parents juggle their work lives and they neglected their own retirement savings to care for my sister. For over a decade, I set up pills, doctor's appointments, frequent hospitalizations and coordinated my mother's discharge care, all the while taking care of my own family and working full-time. The time I took was never a 12-week chunk of time. This was often just an hour or two here or there, maybe half a day. If my mother had surgery, it would be for a day. Bella Vista in New Haven provided a community to keep my mother active and literally keep an eye on her. The lab tech down the hall would help put in her daily eye drops since she could never seem to get the solution in her eyes on her own.
My husband, Don, would do the grocery shopping and keep her company. At the end, she required supervision, and since I was working, she did end up in a nursing home, where she died. I loved my mother, but it was a physical relief that I was not balancing work, family and her everyday care. Relief, however, was short lived.

Less than ten months later, my husband was diagnosed with non-Hodgkin lymphoma. The cycle of blood tests, scans, chemo treatments became almost routine, and was repeated four years later as non-Hodgkin lymphoma recurred. And this time, a stem cell transplant and radiation were added to double chemo. Three and a half years later, pancreatic cancer was discovered. And despite all the treatments, he died 14 months later. With the help of our daughter, good friends and neighbors, a flexible employer, and despite exhaustion, we managed.

I was lucky I had a job with benefits, allowing me the time to care for him without fear of a loss of paycheck or a job. The stress along with the real stress of caring for an ill family member must be unbearable. Families are trying hard to do what is best for their family members, but could use some help. Four-hundred-fifty-nine Connecticut residents are unpaid caregivers. Connecticut caregivers provide 427 million hours of unpaid care each year. This unpaid care is worth an estimated $5.9 billion dollars annually and includes help recovering from serious illness or injury, assistance with activities of daily living, and providing support to help people stay in their homes as they age.
I strongly support Senate Bill 1 and House Bill 5003, and thank you for consideration and for your indulgence on a little more time.


MS. MUNCK: Thank you.

REP. PORTER (94TH): Next up we have -- I think she left. Minority Leader and Councilwoman Wildaliz Bermudez? Good evening, Councilwoman.

COUNCILWOMAN WILDALIZ: Good evening. Thank you so much. Okay. Everyone can hear me now. Thank you so much. My name is Wildaliz Bermudez and I'm the Minority Leader for the Hartford City Council and I really appreciate you all and your time here today. And I'm here to stand in support of S.B. 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and H.B. 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

This is very important legislation that will impact really all of us in a very positive way. For those of us who have family members, relatives, loved ones, little ones, such as my little baby who is here today, we can all relate to this and it's really quite simple. Having paid family and medical leave is so important, and especially for people who are extending their family, such as was in my case when we extended our family a year and a half ago.

I had to take some time off from work. Luckily, my job allowed me to take a significant amount of time off; however, it was unpaid. And like so many families and so many -- and the burden falls on so many women especially, to be able to take that time
off that is unpaid. And yet, when we look at so many other countries across the world and developing countries, that time is paid. All of the time for those developing -- in developing countries, that time is paid except for here, in the United States. Unless that you're lucky enough to live in places -- hi baby. To live in places, whether it's in Rhode Island, New York, New Jersey which implemented and successfully paid -- successfully paid leave programs and also looking at our neighbors in Massachusetts who implemented most recently in July of 2018. We can look as far as California as well that have over ten years of experience of paid leave, where employers have overwhelmingly reported a positive and mutual impacts on their businesses.

Paid leave is extremely crucial as well to those who are minimum-wage workers, low-wage workers, and typically many of them don't have access to even take time off from their regular employers let alone take paid leave off, to have that leave be paid while they're taking that time off. So, this is something that really impacts the entire State of Connecticut and our workforce in a very positive way. It's a way that we can retain more workers and attract more workers. Our counterparts, our neighbors are already doing it. And as someone who lives in the City of Hartford, if we look at our cities, it's the cities that are disproportionately affected. It's our communities that are disproportionately affected for those people who are not able to take that time off and have it paid.

In the end, it really won't cost a lot. All we're talking about is a payroll deduction, one-half of one percent of people's pay. So, if we're looking at those individuals who are making low -- who are
making minimum wage, then it's the average of $100 dollars a year. For those who are in the income bracket of about $100,000 dollars a year, then we're talking about $500 dollars per year. And this is a really excellent program for us to really thrive as a whole in terms of the State of Connecticut. Thank you.

REP. PORTER (94TH): You're welcome and thank you for your testimony. One question from me; just listening to your testimony, would you say that you believe that when paid family and medical leave is passed that it will actually help to keep women in the workforce?

COUNCIL WOMAN WILDALIZ: Yes, absolutely. Absolutely, without a doubt. So many women have to take that time off and so many women end up having to leave their jobs because they're not able to take that time off without getting paid. And so, it will help retain our workforce.

REP. PORTER (94TH): And do you think that it will actually help to increase profits of the companies in the State of Connecticut?

COUNCIL WOMAN WILDALIZ: Absolutely, it will. It will. We can -- again, we can turn to other states that have already implemented this and look at California, that's been doing it for ten years, and they have impact studies and reports that indicate that their businesses are doing very well. And it will be very positive. When you have a happy workforce, you're able to have a more robust workforce.

REP. PORTER (94TH): Thank you. Any questions or comments from the committee? Seeing none. I'd just
like to say thank you again and thank you for your patience.

UNKNOWN SPEAKER: Thank you so much. And thank you for bringing that beautiful baby along. She's a doll. I love the spoon out of her mouth.

REP. PORTER (94TH): You're welcome. All right. So, up next we have Wendy Traub. Is Wendy here? Yes, she is. Come on down. Good evening.

MS. TRAUB: Hi. First of all, I'm trying to spread the love because it's Valentine's Day. So, everybody spread the love.

REP. PORTER (94TH): I'll take it.

MS. TRAUB: I am here -- please, bear with me. I am here in opposition of S.B. 1 and H.B. 5003 in its current form. I'm gonna preface that by saying in its current form.

I am the chairman of the Connecticut Leadership, our NFIB. So, independent businesses in the State of Connecticut. But more importantly, this testimony has to do with my husband's and mine small specialized construction company. What I wanted to start with was the U.S. Business Administration Office of Advocacy did a report in 2018 that cited that 49 percent of the employees in the State of Connecticut are small business employees. And of those small businesses, 17 percent of them employee less than 20 employees, and that was the largest group of new jobs in the State of Connecticut during that survey. Why is this important? It's important because the bill addresses one or more employee in your company.
I am here to represent those companies that have employees that require special certifications, licenses or education in order to do their job. And as small business owners with three or four or five employees, we don’t have that luxury as some of the reports I've read to take those jobs and transfer them to other employees in the company if somebody were to take eight or twelve weeks off. The other problem we would have is an unrealistic belief that we would be able to go out and find somebody in a short period of time to replace that specialized worker. And if we did find somebody, which I guarantee we wouldn't in our position, but if we find somebody, that person would not be willing to come and work for us for three, four, five weeks and know that they're going to get laid off after that. So, that's one of the other problems.

Some of the things that we're asking for in consideration of this bill, if you would please bear these in mind with us that specialize. I'm talking about electricians, plumbers. We have special drills that we work with that you have to have certifications and training on. We have somebody who is a vet technician -- or a vet who has technicians, dental technicians. I'm talking those type of jobs that aren't easily replaced or traded. And some of the things we're asking for in consideration by this commission and as a whole is that the assembly would be -- to continue making that participation mandatory only for over the required 50 or 75 employees. Given the specialized nature of our businesses, that would definitely help us. Because we're specialized industries, it is gonna be an undue financial or physical hardship for our companies.
I will tell you the one situation where we did have in our company. We did try to make it work. My husband literally, and I kid you not, worked 20 hours a day in order to make it work with an employee. And we did that and the irony of it was three weeks -- three months later he walked off the job and left us high and dry. So we do have our own issues obviously we deal with. We're also concerned with the fact that when the state unemployment fund went and saw that the business owners were the ones who had to pay back the funds when we borrowed from the federal government, and it's our fear that if there's a problem with this fund over time, that the insolvency becomes an issue, that they employers will be coming in and being asked to contribute to that. I can assure you with my financial hardships in our company over the past few years, anything like that could put us over the edge. And I'm not exaggerating. It's been really tough.

My husband's actually been in Long Island for over a year. He's been working out of state because there's nothing here. So, we do have our problems in our specialized industries.

The other thing we're concerned about is the comment that it's a close association with the employee. And my fear with that is as an employer it's easier for us. We know our employees very well. We know their family issues. We know their situations. It's easier in those cases to plan for something. It's not easy when it could be literally anybody in the world that's in close association with them that could come up at any time. We can't plan for that. So, we're asking for that wording to be under consideration.
We also say that as small business owners, we're very family oriented. We know our employees. It's easy when you have so few and we've always worked on a case-by-case basis. The NFIB did do a survey of its membership. Over 79 percent overwhelmingly did not approve of the paid family leave, again, as the wording was issued. And this was in last year's. And the majority of our employees. And they do work with employees. Like I said, we take those situations where at times, closing the doors means everybody else in that company gets laid off for that period of time as well. So, when a company closes, those jobs are gone for good, not just for a temporary period of time.

So, I thank you. I beg your indulgence. I know this is a hot topic and we appreciate why the topic has come up. But there is another side to it and it is the side of small businesses and specialized industries that will be severely, and I stress this, will be severely harmed by this given the fact that there aren't those manufacturing and everything. We can't fill those jobs now. So, to find those people to replace them temporarily, you know, will be even more of a burden. So, I appreciate it. I thank you for your time and your patience.

REP. PORTER (94TH): Any questions from the committee? Yes, Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. [Audio cuts out inaudible - 04:30:28] in the past. So, do you know whether, in crafting this language, anyone reached out to NFIB or anyone within that organization, asking an opinion or wanting to include you in a conversation about how it might be
drafted in a way that would be perhaps more acceptable?

MS. TRAUB: I'm not aware at this point. I don't know the facts, so I can't answer that one way or another. I mean, again, you know, we can offer our suggestions. And I do want to -- I should've noted. I do want to note that because we work in New York, we work under their, which they just instituted last year, and they've already had a 21 percent increase in their employee contribution in one year. So, you know, as Connecticut goes forward, if they were to institute this -- I know there were questions about insolvency. I think New York's already found that they're behind the eight ball even after one year. And I believe they started at 55 percent contribute, I mean, payout, and they're gonna step up to, I think, 65. So, those are possibilities. Again, I'm not saying that it would happen with Connecticut, but those are concerns and I'm witnessing it through, you know, my employees working in New York right now.

SENATOR MINER (30TH): And through you, Madam Chairman. So, the kind of suggestions that you had offered to us verbally, are those also submitted in writing so that the committee has them?

MS. TRAUB: Yes. I submitted the testimony via the email. Thank you.

SENATOR MINER (30TH): Thank you.

REP PORTER (94TH): Any further questions or comments? Seeing none. Thank you, Wendy.

MS. TRAUB: Happy Valentine's Day.
REP. PORTER (94TH): Thank you, you as well. Next up we have Representative Garibay with Sally Grossman.

REP. GARIBAY (60TH): Good evening, Co-Chairs, Representative Porter and Senator Kushner, Ranking Members Representative Polletta and Senator Miner, and distinguished members of the Labor and Public Employees Committee. I am here to support S.B. 1 and H.B. 5003. And thank you for letting me testify. This is AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE. I'm going to give my time over to Sally Grossman, but if I'm allowed, at the end I'd like a few comments.

MS. GROSSMAN: Hi. My name is Sally Grossman. I'm from Windsor. I'm here to strongly support S.B. 1 and H.B. 5003. I'm self-employed. I own a small anterior painting business. Because I work for myself, I don't have access to any form of paid time off. Like many people in Connecticut, if I don't work, I don't get paid.

So, six years ago I became pregnant with my first child, which is this little guy right here whose birthday was yesterday. At 28 weeks, I went into preterm labor. I spent three days in the hospital while doctors successfully stopped the contractions. I went home and was placed on bed rest for the remainder of the pregnancy, which lasted nine more weeks. During this time, I couldn't work or I risked going into labor again, which meant I went nine weeks without any form of income. At 37 weeks, I went into labor. During labor, the doctors kept losing my son's heartbeat so they performed an emergency C-section because the umbilical cord wrapped around his neck.
After delivery, I was told by my doctors that, because I had a C-section, I would have to wait at least six weeks before returning to work. Despite these orders, I went back to work after just three weeks, even though I was still in pain from surgery and I was still bleeding from giving birth. I missed precious time with my son and that's time I'll never get back. I could barely afford to feed him and a month after he was born I had to go on WIC, which would cover the cost of formula, so then I could afford diapers.

It took years to recover from this financial hardship. I wish I'd had the opportunity to pay into a family leave fund so I could pay for my own time off. I doubt that I'll need maternity care again, but this bill covers more than that and has the potential to be used by everyone. If one of my family members or myself become sick, I won't have to make the same choice that I did with my son. I'll be able to care for them without worrying about how I'm gonna support my family.

So many workers here in Connecticut don't have access to paid family leave through their employers, including the vast majority of low-wage workers and those who are self-employed like myself. With surrounding states enacting their own paid family leave laws and the fact that the program is completely employee funded, Connecticut really can't afford not to pass this legislation. Thank you.

REP. GARIBAY (60TH): I hadn't planned on saying anything, but my background is that I was the chamber of commerce executive director for 20 years, retiring in September. And what is a small business? If you look at Wikipedia, it means that
the business is under a million dollars and less than 1,500 employees. That is not the backbone of a town. The backbone of a town is what I'll call the, "micro mom and pop shop," where the owner is working there, two employees, etcetera. When you work for a chamber of commerce you're on the ground. You're -- you know, they're like family. That's what you're doing.

And now I'm the Main Street director, which is just the Main Street in our town. And I talk to these small business owners. First of all, none of them give vacation time. It's just -- if you're talking restaurant, retail, hair dressers, landscapers, they're not giving vacation time or any other benefit. And the ones I've talked to see paid family leave as something that will attract workers, that it gives them something to compete with and it's not really costing them that much because they don't have that many employees, so to do the bookwork, it's just not.

If you think that back in 1973, if you worked a job at McDonalds full-time, you got full medical benefits and you could support a family of four. That is no longer. And believe me, if anyone wants me to share those statistics through email, I'd be more than happy to. So, we're at a point now where young people can't support. I have a child, well, young man, who lives in Massachusetts. He won't come back to Connecticut because of the health benefits, because of paid family leave. And that's what young people are looking for. So, that's what will attract young people back into our community.

And the last thing is, I heard a few times it kind of sounded like people think that if people have 12
weeks of paid family leave, that they're gonna abuse that and every year they're gonna take their 12 weeks and just kind of like goof off. Well, there will be a couple that does. But there's two people that work at every corporate company that misuse the system at every town in the state, within our House of Representatives. Every organization has a few people that will take advantage of the system they are in. This will be no different. But it will be a couple of people and there will be tons of people that will benefit from it, like Sally, with her story. And I want to thank her for coming and sharing. It's not easy. Thank you.

REP. PORTER (94TH): You're welcome. I'd like to thank you as well, Sally. And thank you for making the point, the very valid point that you've made. Because not only will they not necessarily take 12 weeks every year, it may be a half a day for the year.

REP. GARIBAY (60TH): Or maybe never.

REP. PORTER (94TH): Or it could be --

REP. GARIBAY (60TH): There are people that, you know, --

REP. PORTER (94TH): It may be never. But it will be used and it's needed. So, thank you for taking the time to come out and to bring Sally with you to share her story. Yes, Senator Kushner.

SENATOR KUSHNER (24TH): Yeah. I'm so pleased that you were able to be with us, Sally, and that your son was able to be here too. He's adorable and I can see he lights up your life. But I do want to say that I'm particularly pleased, because I met people like you when I was talking to voters about
this particular bill. And I thought it was really, really a great option that we were offering to self-employed people to have the ability to buy into this, because you have no one to help you. You have no one to fall back on when you're self-employed. And so, I -- you know, that was always what I'd heard and it was really great that you could come here and testify.

And Representative, I also want to thank you because the small businesses that you've spoken and the fact that you come from the perspective of the chamber of commerce. It's really good to hear that that confirms what I have also heard from small businesses in my community. So, thank you.

REP. PORTER (94TH): Any comments or questions? Seeing none. Thank you both. Thank you three and happy belated birthday, young man. All right. Next up we have Chrys Fryxell. And please forgive me if I butchered that. Good evening.

MR. FRYXELL: Good evening. I've definitely heard worse, so. Good evening, Co-Chairs Kushner and Porter, Ranking Members Miner and Polletta, and Representative Hall. Thank you for your time tonight. My name is Chrys Fryxell. I'm the president of the Associated Builders and Contractor of Connecticut, or CTABC. CTABC is a statewide trade association of over 200 member companies that represent merit shop contractors. I appreciate the opportunity tonight. I am going to speak in opposition to House Bill 6508, AN ACT CONCERNING INVESTMENTS IN THE CONSTRUCTION JOB WORKFORCE FOR LOW-INCOME RESIDENTS.

I should begin by saying that I stand in favor of what I believe is the intent of this legislation,
which is to provide opportunities for low-income individuals. The desire to help left people out of poverty by providing access to meaningful employment is an admirable goal and one that CTABC fully supports. In fact, countless individuals have escaped poverty and joblessness by pursuing a trade and building a fruitful career in construction.

What we take issue with is the 25-percent hiring requirement that is in the legislation. I'm not aware of any evidence that suggests there is -- that suggest low-income residents are discriminated against in hiring practices in the construction industry. Many individuals who come from poverty do get jobs in the construction industry and are able to essentially lift themselves out of that economic position. I feel that a hiring requirement will take away some of the flexibility that contractors have in developing their workforce for specific projects.

And there was a lot of discussion earlier tonight about a need to get people into apprenticeship programs, help them -- encourage them to learn a trade. I think if we develop a program that does encourage low-income individuals to pursue a career in the trades; I think the hiring is going to take care of itself. There's currently a significant shortage of skilled craftsmen in the construction industry across the country. Some estimates put it as high as 500,000 unfilled jobs and that is projected to increase by quite a bit over the next few years given investments in infrastructure and a retiring workforce.

Further, you know, I'm on a working group that is looking at ratio -- hiring ratios with apprentices
and journeymen. Contractors are limited in the amount of apprentices that they can hire now based on the number of journeymen that they employ. So, if I'm a contractor and I employ nine journeymen, I can hire five apprentices. If I'd like to hire another apprentice, I must first hire three more journeymen. So, those -- the current state law on hiring ratios doesn't necessarily jive with a 25-percent hiring requirement through this program.

So, in conclusion and kind of sum it up, we are fully supportive of what I believe the goal of this is. In fact, I'd be more than willing to participate in further discussions on how we can craft this program to help low-income individuals get into the construction industry. We just can't support something that comes with that 25-percent hiring requirement for state projects. Thank you very much. And with that, I'm happy to answer any questions.

REP. PORTER (94TH): Thank you. Any questions or comments from the committee? Seeing none. Thank you again and have a great night.

MR. FRYXELL: Thank you very much. You too.

REP. PORTER (94TH): Thank you. Up next we have Representative -- I'm gonna get this right. Representative Josh Elliott. Going one, going twice... He's gone. (Laughter) Okay. Well, we have Maddie Granato. Good evening, Ms. Granato.

MS. GRANATO: Hello. Senator Kushner, Representative Porter and members of the Labor Committee, my name is Maddie Granato and I'm policy manager with the Connecticut Women's Education and Legal Fund, or CWELF. I'm also really
proud to serve as the campaign director for the Connecticut Campaign for Paid Family Leave.

So, CWELF currently leads the campaign, which is a coalition of more than 75 organizations that have advocated for the passage of paid leave since 2013. I'm obviously here in strong support of Senate Bill 1 and House Bill 5003. I forgot to mention that earlier. So, thanks.

So, first I'd really like to thank the chairs of the committee, Senate and House leadership, as well as the Governor's office for really prioritizing paid family and medical leave this year. Over the past six years or so, we've heard from hundreds of workers, you know, many of whom are here today, who have risked their financial security to be there for their families when they need to most. We've heard from new parents who are just one missed paycheck from spiraling into poverty after the birth of a child which would otherwise be a joyous occasion. And mothers who return to work just two weeks after giving birth.

We've heard of mounting medical bills, unpaid mortgage payments, and on top of it all is the unbearable stress of trying to do the impossible, care for a family, earn a paycheck, and stay financially afloat. Just 17 percent of workers have access to paid family leave through their employer. Among low-wage workers who are disproportionately women and people of color, that number falls to just six percent. At this point, the research and polling in Connecticut and nationally is really crystal clear. Workers need and support strong, universal paid family and medical leave.
For several years we've watched really carefully as every state around us has passed a paid family and medical leave program. Now, this year, in 2019, we have the opportunity to learn from those programs and make sure that we pass the strongest, most comprehensive police for Connecticut workers and their families. This means a program that benefits those who need it most and provides high-wage replacement and job protection, especially workers -- for workers who can't afford to miss any portion of their paycheck or risk losing their jobs while they're out on leave.

This also means a program that expands on the Family and Medical Leave Act's definition of a family member so that all workers can access paid leave no matter who they care for or call their families. We also support a program that is publically administered to ensure transparency of what should already exist as a basic human right without any sort of profit incentive. At this point, the data, research and polling, it's really all clear. It's also clear by the number of people who are here today and who are still waiting here in this room while passing their time to make their voices heard.

You know, Connecticut workers really can't wait any longer for the bill to pass and this is really the year to make it happen, so. I'll welcome any questions.

REP. PORTER (94TH): Thank you, Maddie. Any questions or comments from the committee? Yes, Senator Kushner.

SENATOR KUSHNER (24TH): Hi Maddie, how are you tonight?
MS. GRANATO: I'm good. How are you?

SENATOR KUSHNER (24TH): Good. I know you've been really involved in the coalition and building the coalition in support for this bill, but you also, I think, are pretty familiar with the details of the bill. And how would you say this would compare to other states in terms of a program? Would be considered, you know, coming in as leaders or would be lagging behind?

MS. GRANATO: So, I think that there's a lot of layers to an answer to that question. I think in some parts of our bill, we really go far beyond what other states are doing, especially in terms of offering job protection for all workers who take paid leave. One-hundred-percent wage replacement is really important. I know in California's program, they found initially that take-up rate of their paid leave program are really low because they only provided 60 percent or so of weekly earnings back to people and that simply wasn't enough. In terms of the definition of family, we're really far ahead of some other states. Several cities have passed similar definitions in their paid sick days. But we would really be one of the first states to pass a policy that really includes all families no matter who they care for, which is important. But we are one of the only states I think that's been mentioned before today, that includes only -- a program that's only employee funded. We're not asking for an employer contribution and most other states do do that, so. Yeah.

SENATOR KUSHNER (24TH): And can you explain a little bit about, you know, why that is and, you
know, how we came to this approach that it would be employee paid?

MS. GRANATO: Yeah. That -- I think that decision was made a few years ago. We really wanted to make a program that was as business friendly as possible, and that's what was done here in Connecticut, so. A lot of programs in other states too, they're based off of preexisting temporary disability insurance programs where the employers are already paying into those, which is why a lot of states I think include employer contributions with their family leave too. But I know, even in our neighbor, Massachusetts, who just passed this bill with a Republican governor, they also included an employer contribution in their program, so.

SENATOR KUSHNER (24TH): So, I know you've also spent some time with small business owners talking about this bill and explaining it to people and when they have a full explanation of it, what's been the nature of the response that you've gotten?

MS. GRANATO: I'm happy you asked that question. So, in 2017, there was a poll done by BLS Research and Consulting, and it found that 77 percent of small business owners in our state support paid family and medical leave legislation. And when they found out more about the program and how it would and that it was solely employee funded, that number actually grew to around 80 percent, so. And we have -- on the campaign there are about 100 small businesses that are signed on in support. And the way that we gathered that support was really just going door to door and talking to small business owners about this bill and about what it would look like for them and their employees. And once they
learned more about the truth of the program and that's it's -- that it doesn’t require any type of employer contribution, they really signed on and just think it makes sense, so.

SENATOR KUSHNER (24TH): Thank you.

REP. PORTER (94TH): Any further questions?

Representative Hall.

REP. HALL (7TH): Good evening and thank you for all the work you've done on this, Maddie. There has been some questions and concerns with regard to the definition of family and how we're moving that. And so, can you just expound that a little bit for us, please?

MS. GRANATO: Yeah. Yeah, sure. So, the current Family and Medical Leave Act really only includes your spouse or your child. It doesn't include a child of any age. Really you can only take family and medical leave right now for a child up to the age of 18, which is really problematic, especially since under the Affordable Care Act you can stay on your parents' health insurance until you're 26, but really you can't depend on your parents for care if you're seriously ill, you know, past age 18. That's not right, first of all. So, in the proposed bill this year, we're really pushing for the definition of family to include, you know, caring for a sibling, a grandparent, grandchild, child of any age, and also anyone who is related by blood or whose close association is the equivalent of a family member. So, that includes, you know, someone who you grew up with and who is your best friend and who has no one else to turn to for care, you know, an aunt who is really close to you. You know, even someone's, you know, next door neighbor who they
rely on for everything to take care of them. Those are the type of situations.

REP. HALL (7TH): Thank you for that. And so, so to understand that, the employee is determining who their family is. So, we're not -- we're not setting that in statute. That's what I'm -- that's the question I'm asking.

MS. GRANATO: Yes, yeah, yes.

REP. HALL (7TH): Thank you.

MS. GRANATO: Yeah.

REP. PORTER (94TH): All right, thank you, Representative Hall. Is this a mandate?

MS. GRANATO: I would say that it works as an insurance program. It's there for workers who, you know, whether you think you'll need to use this program or not, it'll be there for you. Because, you know, someone could be, you know, as healthy as can be and, you know, may not think that they'll ever need to take care of their families, but, you know, not to be super depressing, but, you know, one day you could have a heart attack or you could get diagnosed with cancer. Something could happen to you and everyone deserves the safety net of knowing that this program is available to them when they need it most.

REP. PORTER (94TH): Thank you for that answer. And do you believe that everyone will take 12 weeks?

MS. GRANATO: No. I think, you know, some workers might need to take 12 weeks. You know, someone who has just given birth I would hope would take 12 weeks, you know. A study in 2012 found that mothers went back to work within just two weeks of giving
birth, which is disgraceful, so. But other workers who, you know, have a surgery might need to take three weeks. Other workers, you know, who have a serious illness may need to take less than that. I think the average number of weeks of leave was about four weeks in other states. So, not 12.

REP. PORTER (94TH): Okay. Thank you for that clarification. And my last question for you is how does paid leave benefit business?

MS. GRANATO: So, it benefits business because it, you know, attracts -- it attracts workers. It's a, you know, competitive advantage for all businesses to be able to offer this to their employees. You know, if small businesses want to compete with larger companies, you know, a lot of times they can't afford to offer a policy like this and larger companies can. So, paid leave would really, you know, it would level the playing field. It's also been proved to, you know, improve worker retention, especially among women. It keeps -- it helps keep women in the workforce, which is really important, especially after they have children.

It increases productivity. When you think of a worker who, you know, is trying to juggle taking care of a terminal parent -- a terminally ill parent and working 40 hours a week, that is not a productive employee. They need to have that piece of mind to be able to, you know, to take time off when they need to care for their families and still be at work, you know, when they can as well. So, yeah. And research shows that too from California and New Jersey and Rhode Island. It's all been -- you know, similar research has found that the
programs there have had limited effect on business, so.

REP. PORTER (94TH): That's great. I can imagine that stress would impact an employee's ability to perform -- to perform at peak. And what you said also validates the testimony of a mom that sat in the seat earlier, who said that her son actually won't come back to Connecticut because we're not competitive when it comes to paid family and medical leave. So, thank you for your testimony and thank you for bringing all these things to the forefront for us.

MS. GRANATO: Okay. Thank you.

REP. PORTER (94TH): You're welcome. Next up we have Councilman Justin Farmer.

MR. FARMER: Good evening. Thank you for this opportunity to speak. Thank you, Chairwomen Kushner and Representative Porter. So, my name is Justin Farmer. I am a councilman in Hamden. I came here to speak to you as not so much as a legislator, but more so as a community member. I'm a student at Southern, a [inaudible - 04:55:23] intern for Planned Parenthood.

Over the last year, I've had the privilege of learning about other people's experiences. And I came here tonight to speak on Senate Bill 1 and House Bill 5003. Paid family leave is something that every state around us has made a priority. We're the last state to do that. We often talk about keeping young people here and encouraging them to stay here. So, I wanted to share a couple of stories.
Last year, while I was running, my older brother, twice my age, was shot six times in Jamaica and my mom had to go down to take care of him. During that time, I was lucky enough that we were financially secure. I was a legislator. I was a student and at the same time I was a landlord. But backtrack 20 years ago, my mother had me and she was on leave for three weeks. She couldn't afford to not work and take care of me. Being the youngest of five siblings, I saw how that weighed on my siblings. I saw how that weighed on my family. Coming from a community that is impoverished, a community that is mostly black and brown, and seeing the challenges that we go through, I often marvel at how people in my community have figured out how to survive and transpass these challenges. But I -- when I think about it, you have a single parent mother who figured out how to make it work, who became a home owner, a taxpayer, and then was able to buy another home, and to add to our community.

And I think even the simplest things of having a child and having to work while she's having a child and not being able to skip a couple of weeks could have meant the end of my family. It could've meant the difference between having food on the table or having the lights off. So, now, in my capacity as a legislator and thinking about the other families that have to deal with these situations, it's of the utmost importance that we have paid family leave. I don't want to hear from my students and peers that they have to take off time from school to take care of their parents because they can't afford to work full-time and be a full-time student.

I don't want to go to that parent and have them ask me what services can the town provide if they can't
go to work after dealing with a family member getting diagnosed with cancer or some other illness. It's beyond the time that we make this a priority and it puts Connecticut first. It puts our aspirations and our dreams and our hopes for our kids, to protect and empower our community.

So, I don't have any fancy facts for you to tell you that, you know, outside of the fact that black women, obviously, have high maternity rates, maternity death rates, that this is a priority. I don't need to tell you every state around us has made this a priority. I don't need to tell you that every time we push this back and not make it a priority, we're literally putting families in life and death situations. So, I thank you all for your time. I thank you for your patience. Happy Valentine's Day. And let us know how we can help you in this aspect.

REP. PORTER (94TH): Thank you, Councilman Farmer, part of my district, one of my constituents and I actually see the work that you do in the community, not only as a legislator, but just as a community member. And I thought it was about time you got elected because I was just tired of seeing everywhere I went. So, I do thank you for your commitment to community. I thank you for your commitment to the cause and I just thank you for taking the time to be here all day long. He's been here since 7:30 this morning. So, I commend you for that and it speaks volumes to me and it lets me know that this is important and that it should be a priority for all of us. Any questions from the committee? Seeing none, I'll just say thank you again.
MR. FARMER: Thank you. Have a nice night.

REP. PORTER (94TH): You as well. Next up we have Michelle Hart.

MS. HART: Hello. Good evening. My name is Michelle Hart and I'm an 1199 Union member and a homecare worker from Baltic. I got into homecare after taking care of my grandmother who had Alzheimer's and dementia, fulfilling a promise I made to my grandfather to keep her at home under my care. With the experience I had, I've decided this is something I was put on this earth to continue to do.

I provide loving and attentive care for others even when facing challenges. Everyone who knows me knows that, through it all, I always have a smile on my face and a positive attitude. Many of the challenges that I faced were when paid and family wasn't available to me in my time of need, which took a huge toll on me physically, financially and emotionally. The first time was when I sustained an injury that caused my lung to collapse and nearly died. Because I didn't have paid leave, I had to undergo surgery and have my lung glued back to my chest wall and then went back to work the very next day. I worked through the pain for a very long time because I had no other choice since I needed to earn money and to support my family.

The last time I really needed paid leave and didn't have it was just last fall, when a disc in my back broke in half and resulting lifting a client. At that time, we, as homecare workers, didn't have access to worker's compensation insurance either. I could barely walk or drive, but I pushed myself to do it anyways because I had to keep working to avoid
eviction. I received several cortisone shots and finally underwent surgery to begin to walk again without pain. Today, I'm thankful that, through my union, we won worker's compensation insurance that finally went into effect in January. So, no one will ever go without care after being injured on the job.

I'm also a proud mom of four children who I introduced to activism because I feel it's important to show your children what's at stake and what's worth fighting for. I currently care for three different homecare clients to make a full-time living and I love what I do. We've made a lot of progress with our union over the years, but tens of thousands of working families like mine still need true paid family and medical leave.

No one should have to ever choose between working to stay afloat and see yourself or a loved one through a crisis. We should be able to care for our own health and that of our loved ones without facing the stress of losing our income. Thank you for your time.

REP. PORTER (94TH): You're very welcome. Thank you for your testimony. Any comments or questions? Seeing none -- I'm sorry. Senator Kushner.

SENATOR KUSHNER (24TH): I just wanted to say I think you have a -- you have a very broad perspective because you're someone who, for your work, takes care of other people. And I assume that you've also seen plenty of folks whose loved ones weren't able to be with them because they couldn't afford to take off from work and the toll that that takes on, you know, the person who is elderly or ill, and a toll on the kid or the spouse that is
unable to take the time off. So, you know, I appreciate what you do. I know it's extremely hard work and heavy work. And I do appreciate the fact that, through your union, you have been able to achieve some benefits that really make it better for you as workers and better able for you to carry out the important tasks that you do. So, thank you for coming to testify and --

MS. HART: Absolutely.

SENATOR KUSHNER (24TH): I know you have four kids.

MS. HART: I do.

SENATOR KUSHNER (24TH): And you said you introduced them to activism. I had three kids, so you're way ahead of me.

MS. HART: My youngest is five. My oldest is 14.

SENATOR KUSHNER (24TH): Well, I took my kids everywhere and I introduced them to activism also when they were very young, and I just want to reassure you that they all turned out to be great people.

MS. HART: That's awesome. I was never an activist. This was the first year I voted. I was pretty dedicated, even when my disc was broken in my back, to make sure I knocked on those doors, made those phone calls and was able to get a job with Martha Marks, making the $15 dollars an hour to help me out and pay my bills. I was really, really blessed with that. And I continue to show my children how it is, to never give up, and continue to be -- the strength that needs to carry everybody through and help those who need help. That's what God brought us to this life for.
SENATOR KUSHNER (24TH): Thank you.

MS. HART: Thank you.

REP. PORTER (94TH): Amen.

MS. HART: Amen.

REP. PORTER (94TH): Yes. And thank you.

MS. HART: I was gonna leave the God part out, but, you know, what, I had to. Sorry. That's why we're here.


MS. HART: Thank you. Now, I'm off to work.

REP. PORTER (94TH): All right. Next up we have Steven Hernandez. Good evening.

MR. HERNANDEZ: Good evening.

REP. PORTER (94TH): And who do you have with you, Mr. Hernandez?

MR. HERNANDEZ: I'm joined by Allissa Desloge. She is our intern, our graduate intern, from the Yale School of Public Health.

REP. PORTER (94TH): Thank you.

MR. HERNANDEZ: And she'll be providing testimony with me. Good evening, Senator Kushner, Representative Porter, Ranking and other distinguished members of the Labor and Public Employees Committee. Thank you for the opportunity to provide testimony on behalf of the Commission on Women, Children and Seniors and Equity and Opportunity. They are bipartisan, bicameral commission of this legislature. Again, my name is
Steven Hernandez. I am the executive director of the commissions. And my testimony is as follows, if you'll excuse me. (Clears throat)

Connecticut workers deserve the opportunity to take time off to care for themselves a loved one, or to welcome a new child without having to worry about financial and/or job insecurity. Currently, just 17 percent of workers, including just six percent of low-wage worker, have access to paid leave through their employers. According to the Institute of Women's Policy Research, the passage of this legislation would immediately benefit 68,000 workers per year. Connecticut is one of the few states in New England that this -- that has yet to pay - pass paid leave legislation. Rhode Island, New York and New Jersey and Massachusetts have all passed paid leave legislation for work. Connecticut needs to follow suit in order to attract and retain workers. We've heard that today. National surveys show that the majority of workers, especially millennials, support mandatory paid family leave and intentionally seek it as a work benefit. Nearly 25 percent of adult caregivers are between the ages of 18 and 34, so many of this generation are tasked, lovingly so, with caring for themselves, their own children and their adult loved ones while still maintaining a job.

In addition to benefitting Connecticut workers, a paid family and medical leave program would benefit Connecticut's economy as a whole by preventing workers from falling behind on bills and medical expenses which could lead them to file bankruptcy. This program would also benefit businesses by
improving worker retention. It's important to note that this program would be entirely employee funded. And that's critical. So, the employees of the State of Connecticut have spoken that they believe so much that they want to pay for it. And that's very different from other states that have really taken on this benefit. And as I've said before, you know, it's our job to make it work for them, meaning employers will not be funding the program or burdened by the administrative claims.

Workers of colors, who are overrepresented in low-wage jobs, are disproportionately impacted by a lack of paid leave. These individuals have fewer resources to absorb the financial impact of family or personal medical issues due to their -- due to a lack of wealth building and wage gaps. It's critical that we expand paid family and medical leave to people of color, especially African American women, who face much higher rates of maternal mortality and complications from pregnancy. One of the underlying causes of mortality -- maternal mortality is stress. And I'll pass now to my colleague, for her expertise on that issue.

ALLISSA DESLOGE: So, psychosocial stress triggers psychological responses that would create a weathering effect on our bodies that put us at risk for premature development of chronic disease, and in relation to pregnancy, adverse birth outcomes. Stress is experienced by many individuals who have to care for themselves and their loved ones without the security of being able to afford taking leave from their jobs.

For individuals who are pregnant or experiencing their own health condition, stress only exacerbates
physical wear and tear on the body, making both physical and mental health worse off. In addition, workers without paid leave are more likely to not give their bodies' adequate time to recover from a health condition due to a financial need to return to work. This could lead to worse health complications down the road and reduce worker productivity.

The IWPR projects that approximately 60 percent of claims would be for the workers' own serious health condition and 30 percent for pregnancy, childbirth and bonding. So, it is essential that we provide these individuals with the adequate paid time off so they can return to work when they are physically and mentally ready and able.

MR. HERNANDEZ: I think it's important to reiterate, in closing, the qualifying conditions for workers to take this benefit. Birth, adoption or fostering, care for another, care for self, organ donation, military service and incidents related thereto. These are all public benefits. These are -- these are -- it is to the benefit of the people of the State of Connecticut that we have healthy births, that we have a robust adoption and foster system, that we care for one another and that we care for ourselves when we need to, and it's important, not only for the vibrancy of families in the state, but also for the vibrancy and economic vibrancy of the state as a whole. I welcome your questions.

REP. PORTER (94TH): Thank you. Any questions from the committee? Well, I don't have a question, just a comment that keeps coming up and I just want to make a point that, you know, in the State of Connecticut, we are suffering from a decrease in
births. And a lot of that has to do with the issues that we have around communities of color, especially black women, when it comes to, not just infant mortality, but actually maternal mortality, which means babies are dying and the women that can have the babies are dying. So, I think that this would be a great benefit to the state as whole to actually replenish that birth rate so that we could increase our population and therefore increase our workforce down the line, which increases our revenues for the state. So, thank you for making those very poignant points.

MR. HERNANDEZ: You know I really appreciate you bringing up the multigenerational impact here. As you know, the commissions have been -- have led, under the leadership of Senator Moore, Representative Jeff Curry, the Black and Latino Caucus and others, on our two-generational initiative. It's an initiative where we join with other states in the region and other states in the country in really trying to figure out how we help families, multi-generationally, achieve success. We call it a whole-family approach to jobs.

Now, why a whole-family approach to jobs? Because we also care about the economic vibrancy of Connecticut. We care because we know that when we support families, we're actually supporting the state and the future economic vibrancy of the state. We call it productivity and success. So, I share the concern that we don't have enough workers in order to fill spaces that may be vacated because someone is having an urgent or emergent condition that they need to treat. I share that concern.
But my response to that is what are we doing as a state to nimbly grow access to more workers, to create pipelines to success in this state, to work with small companies so that we can access workers when we need them, where we need them. We are not doing enough in this state. And because of that, we are conflating two very different issues, a lack of skilled workers and what we need to do for the workers that we do have here so that we don't lose them and put ourselves into a deeper mire.

REP. PORTER (94TH): Wow, I don't think I could've said that any better than you just did. So, thank you for hanging in there with us this evening because I know you needed to be out of here by seven, and it's actually 22 minutes after. So, thank you for your commitment to that. And it has been brought to my attention that Senator Miner would like to comment or question. You have the floor, Senator.

SENATOR MINER (30TH): Thank you, Madam Chairman. I'm not looking to delay your departure.

MR. HERNANDEZ: That's quite all right, please.

SENATOR MINER (30TH): My guess is that we're probably gonna want to take action on this bill in the very near future, both of these bills. And if it's at all possible, maybe you and I could spend a little bit of time. I want to try and understand better some of the statistics that you spoke about. And it's better if we do that probably at some --

MR. HERNANDEZ: Absolutely.

SENATOR MINER (30TH): Thank you. I appreciate that.
MR. HERNANDEZ: Absolutely. I would love to.

REP. PORTER (94TH): Thank you. Any further questions or comments? Seeing none, thank you again. Thank you both and thank you for taking the time to hang out with us and give us some of your expertise as a graduate student. Have a good night. Thank you. Next up we have Rob Barel. Bob Barel? Here he is. Good evening, Mr. Barel. Please turn your mic on. Thank you.

MR. BAREL: Is that on? That's great.

REP. PORTER (94TH): Thank you.

MR. BAREL: Good evening, Chairs Kushner and Porter, and members of the committee. My name is Rob Barel. I'm the president of SEIU District 1199 New England of healthcare workers union. Our union represents about 26,000 workers in Connecticut in both the public and private sector. Today, I'm here to testify in support of Senate Bill 1 and House Bill 5003, bills that would positively impact the lives of many of our members.

Earlier this evening, you heard from Michelle. Later on this evening you're gonna hear from Azzad Ishmael. Both of them have really powerful stories about the need for paid family and medical leave. I think probably almost all of us in the room have the experience of having to care for a loved one who was sick or injured. And right now, sadly, that is a privilege that's reserved really for only the very, very wealthy in our state. That needs to change.

Connecticut is stronger when we work together to protect families in every corner of our state, by improving the quality of life for working people in different places and of different races with equity.
Our members are mostly black and brown women, many from immigrant communities. They serve people in need of assistance daily and they do so -- do some of the toughest work that you can find within the borders of our state. Providing paid family and medical leave for working people in Connecticut is about the freedom to care for ourselves and for our loved ones when it matters the most.

Connecticut can be a place where working people are able to take time off when sickness arrives at their doorstep without losing the reasonable economic security that all of us need. To obtain the freedom of paid leave, we cannot let the greedy few and the divisive tactics defeat us by splitting our differences based on somebody's appearance, where they may come from, or how much money they have in the bank. Many 1199 members have children and often struggle to take care of their own families, while doing the herculean tasks of providing many of the health care services that are offered here in Connecticut.

They know very well the family strain of falling sick and missing work or taking care of a family member that gets ill and needs to be taken care of. As president of my union, I've spent a lot of time fighting for workers' rights and improving workers' lives, and I can speak directly to the fact that the absence of paid family leave disproportionately affects minority workers. Black and brown workers are overrepresented in low-wage jobs that don't provide paid family benefits. Due to the racial wealth and wage gaps, minorities have fewer resources to absorb the financial dip of treating a family or personal medical leave. We know that without paid leave, workers fell behind on their
bills and medical expenses and are more likely to file for bankruptcy, which in turn, has a negative impact on business in the community.

We know that paid family leave improves worker retention and saves expensive turnover costs for employers. Connecticut is now surrounded by states that have passed paid family leave, and yet we are still having this discussion. It's about time for Connecticut to join our neighboring states in passing policy that truly impacts the lives of working people, in particular low-wage earners, so our state statutes can reflect our values of unity and solidarity for all families. It's time for Connecticut to pass paid family and medical leave. Caring for our loved ones should not be a privilege of wealth. Thank you for your time.

REP. PORTER (94TH): You're welcome. Thank you for your testimony. Senator Kushner.

SENATOR KUSHNER (24TH): Thank you so much. I think you really captured a lot of information in there, a lot of passion for the issue that's before us, and I appreciate that and I share your views on this. I do want to take the opportunity, because you mentioned that you represent a low of low-wage workers. And one of the concerns I heard from some folks, not low-wage workers, but, I don't, you know, -- higher paid professionals, concerned that low-wage workers would have a hard time having a payroll deduction, the half of one percent that we could -- that this bill addresses. And I wondered, you've probably had the opportunity to talk a lot of -- to talk to a lot of these workers, and what's the reaction you get?
MR. BAREL: You know, it's hard to find working people that don't understand the need for paid family and medical leave. When out in the doors in the fall, we had, you know, thousands of conversations with low-wage workers who were talking about what it's like to try and care for children when you're working low-wage jobs. Jobs that pay, you know, $10, $12, $15 dollars an hour. It's just impossible and it's crippling when folks have to go without a paycheck and are making choices daily, daily, about do I spend time with sick relatives, with newborn babies, or do I go to work. That is not a choice that any of us should have to make. The ultra-rich in our state do not have to make those choices. Working people should not have to make those choices.

REP. PORTER (94TH): Thank you. One question from me. Can you tell me about the employee addition -- definition that went to one employee and why you feel that that is necessary?

MR. BAREL: Yeah. Thank you for asking that question. So, our union represents about 9,500 folks who provide Medicaid waiver services to folks that have physical or intellectual disabilities. They are working directly for their patient or consumer. The patient or the consumer is their employer, and so in many cases that may be one consumer, one PCA that is taking care of them. Again, very, very low-wage workers who are absolutely, you know, dependent on those wages to survive. And if they have any type of injury, such as Michelle that you just heard from earlier, they are in a position where they have to choose between their physical wellbeing or the wellbeing of
somebody in their family and paying their bills. And they should not have to make those choices.

REP. PORTER (94TH): I agree. So, thank you for explaining the reasoning behind that and its importance and how it is very critical to the one worker, and how I feel -- I also feel that we shouldn't be leaving anyone out.

MR. BAREL: Thank you.

REP. PORTER (94TH): Representative Hall. I'm sorry. Representative Pheanious.

REP. WILSON-PHEANIOUS (53RD): Yes, good evening, and thank you for being here and for your testimony. My question is really on that last point with one person. Does your union have any way to help replace the person who goes out on leave in that one situation? Can you share with me a bit about that?

MR. BAREL: Absolutely, yes. So, in that circumstance, where a worker who is employed by a consumer has to take time off, the worker is responsible for finding their own coverage.

REP. WILSON-PHEANIOUS (53RD): I see.

MR. BAREL: So, the worker, you know, they're caring for a dependent population in many cases, folks who do not have a lot of ability on their own to find folks. The workers understand their responsibility to the consumers that they take care of. They take that very, very seriously, and find their own coverage.

REP. WILSON-PHEANIOUS (53RD): So, that is a policy that you have within your union or a practice?

MR. BAREL: It's part of the union contract.
REP. WILSON-PHEANIOUS (53RD): Okay. All right. Well, thank you very much.

MR. BAREL: You're welcome.

REP. PORTER (94TH): Thank you for making that point and asking that great question, Representative Pheanious. Any further questions or comments from the committee? Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. So, in the case of passage of this legislation, it would then be incumbent upon the employee that left on paid family and medical leave to secure a replacement for the total term that they would be out?

MR. BAREL: It is currently a condition of the union contract, for folks that are providing Medicaid waiver services, to find their own replacement. So, that would be no change from the current practice. So, if that worker is ill and cannot show up today, they're responsible for finding their own coverage. That would be the same in the future if this bill passed. It is no change in practice.

SENATOR MINER (30TH): And lastly. So, I was kind of half hearing what you said about people who are able to kind of cover this on their own. I think it was in relationship to wealth. And I can tell you that I've heard from a number of constituents that are not wealthy, that struggle with this, as you say many people do. They're trying to find their way to a solution and don't think this is it. How do I get them to imagine that this is the right answer the way it's currently constructed in the law?

MR. BAREL: Again, you know, each -- I would bet that every person in this room has at some point in
their life had somebody that they love that has been sick or injured or ill. And we are all going to reach that point if we have not been there. At some point, we're all gonna be faced with that circumstance. And you know, folks in that circumstance should not have to make those difficult choices about, you know, do I leave the hospital bed, do I leave the home where I may not have an opportunity to see that person, do I return to work before I am physically able to do it.

You know, nurse's aides, who our union represents many thousands of, having to go into work themselves within days of giving birth. Nobody would argue that that is a good idea. And so, we've got to figure out how we, as a society, you know, like the idea of, you know, taxes being the price of a good society, certain human rights being the price of living in a decent -- a good and decent society. That's what this bill represents.

SENATOR MINER (30TH): So, through you, Madam Chair. That's kind of what I'm trying to get at. Somehow, some way, we may not share the same view on whether this language gets us there. And so for those that are believers, for those that simply having me say to them, which, you know, tomorrow at 8 o'clock or 9 o'clock, I could very well say, look, it doesn't matter what you think. This is a basic human right that should be afforded to everyone in the State of Connecticut. And they will continue to push back and say my business can't sustain what this bill requires or my employees have told me they don't want the payroll deduction because they don't want the benefit.
So, those are the kind of things that I think we struggle with. It's not whether we think it's okay to have someone not be able to care for a sick parent or spend time with a newborn. It's really that kind of disconnect between what people believe they can really honestly afford to do and still stay in business here. Or as an employee, I have constituents that have said to me, look, I don't ever intend to use this. I don't -- at this point in my life, I can't give it up. I can't afford to pay in. And so, those are the kind of things that I think, as a state, we are hearing and I hear you. But I'm -- I guess I'm asking you to consider the possibility that this may not be for everyone an acceptable solution.

MR. BAREL: I mean, I guess we could come with countless examples of things that, you know, there's not a unanimous consensus on, you know. We probably wouldn't come with a unanimous consensus on the idea that everybody should pay a car insurance. We decided, as a society, that if folks are gonna be on the road and that there are risks entitled -- associated with that, that everyone is gonna have the responsibility to make sure that they pay into a system so that people's livelihoods are protected. And I don't think that this is any different. I don't think that we can legislate by -- always by consensus. All right.

This is -- you know, we need to join, you know, the -- a modern economy where the rest of the New England has already arrived and make decisions that we are going to place a premium on the ability of people to spend time with their loved ones, to get themselves healthy, to get themselves well, and to not have the burden of caregiving be something that
absolutely destroys the economic livelihood of low-income families, in particular, and middle-class families.

SENATOR MINER (30TH): Thank you, Madam Chairman. I do thank you for being here.

REP. PORTER (94TH): Senator Kushner.

SENATOR KUSHNER (24TH): As you spoke out this, it struck me also that this could be an economic gain for the State of Connecticut. That when low-wage workers particularly, the people you represent, that I represented in the past, don’t have the means, don't have the ability to pay rent and buy groceries and have no choice but to take leave from their job because of an illness or the illness of a family member. You know, our economy is hurt as well from that. Would you say that's something that you would agree would be helpful to the economy?

MR. BAREL: I think it's absolutely true that, you know, when we're talking about low-wage workers, working-class people, middle-class families, every dollar that folks have gets put back into the economy as purchasing power. It's spent on groceries. It's spent on rent. It's spent on gas. It's spent on utilities. It's spent on the things that are the day-to-day issues that people need to, you know, to provide for their families and that make our economy run.

SENATOR KUSHNER (24TH): Thank you. I appreciate the clarity you've brought to the issues.

MR. BAREL: Thank you, Madam Chairman.

REP. PORTER (94TH): And I just have to echo that. I very much appreciate the way you articulate it and
came across very precisely. And I have to agree with the good Senator, as a mom who had a child that was born premature, two and a half months in a NIC unit, came home, only to go back in two more weeks, back on the respirator, back on the ventilator, and to be out of work with her, because I didn't trust anyone to care for her. She was on an apnea monitor. If she would stop breathing, there was certain procedures I'd have to do to get her to breathe again. I didn't even trust my grandmother and I trusted my grandmother with everything, my life.

But in saying all of that, because I wasn't able to get paid family medical leave to be home with her, I ended up having to face something that I thought I would never face, especially as a young girl that had been working from a teenager. I had to go on welfare. I had to get cash assistance and food stamps. And I have to tell you, it was the most humiliating and dehumanizing experience that I've ever had. So, not only is it gonna help to drive the economy in the way of putting people in the workforce and keeping the retention in the workforce, but it will also help to keep people off of the social safety net that will save this state money. So, thank you so very much for everything that you brought to this issue tonight.

MR. BAREL: Thank you, Representative. I mean, again, all of us have these stories. You know, my sister caring for my father at end-of-life, a self-employed hair dresser working, you know, 20-hour days because if she didn't go to work, she didn't eat. So, all of us understand and can relate to this issue. And it's time to take a stand as a state. Thank you.
REP. PORTER (94TH): You're welcome. And thank you again. Have a great evening. Next up we have Representative Tercyak. Good evening, Representative.

REP. TERCYAK (26TH): Good evening. Thank you very much. It's a thrill to be here and see you all. Thank you. In interest of time, both the committee's, other folks and my friend, the constituent, Anna, who has to work tonight, I cede my time and Anna won't testify later. Let's listen to her now, please. Thank you, Madam Chair.

MS. KARWOWSKI: Good evening, members of the committee and thank you for hearing my testimony. My name is Anna Karwowski. I live in New Britain and I work as a building cleaner in Farmington. I am here for myself and other members of my union, 32BJ SEIU, to ask you to support S.B. 1 and H.B. 5003 and pass a system for paid family and medical leave for Connecticut working people.

I came here from Poland when I was 18 years old, seeking a better life. I am proud of that all that I have been able to accomplish in this great democracy; my family, my job, my volunteer work with my union. But many Americans do not realize how much more support other democracies offer, especially countries in the European Union. In Poland, women are given a generous amount of fully-paid maternity leave. In America, I struggled financially when I had my two sons.

I remember when my son, Jacob, was born. That was 15 years ago. Back then, my husband and I decided I should take six weeks off work, which still was not enough to take care of the baby. To do that, he had to pick up extra hours at his construction job and
spending sometimes 60 or even 80 hours per week at work so I could be home with the baby. And one parent shouldn't have to sacrifice all of their time with their newborn baby like he did.

Paid family leave is not only important for new moms, but also for people dealing with their own or family sicknesses. When my mom was -- when my mom had her triple bypass surgery, she was out of work for two months. She was receiving about one-quarter of her regular pay per week from short-term disability. It was helpful, but not enough to survive. She had to draw from her retirement savings account to pay for her mortgage and other bills.

The 4,500 members of 32BJ SEIU in Connecticut are security officers and cleaners like me. We are proud of the job we do, and proud of the pay and benefits we have won with our union. But our income is modest and many of us know how difficult it is to take 12 weeks without pay to care for a new baby or for a seriously ill family member. That's why many of us, including me, worked very hard this past election to help legislators win who understand the needs of working people.

As you know, workers in states surrounding Connecticut now enjoy paid family leave. After voters in the last election have spoken, it's time for Connecticut to join them. So, I am proud to ask you this evening to please support S.B. 1 and H.B. 5003 for myself, for my union brothers and sisters, and for all working families in Connecticut. Thank you very much.

SENATOR KUSHNER (24TH): Thank you. Thank you, Anna. I do want to say that earlier this evening we
had a state representative -- a state senator speak about the value of work and appreciating the value of work, and that we don't always do that in our country. So, I do want to take this opportunity to thank you and the members of 32BJ, who keep our buildings clean and make it comfortable for all of us who work here. I know the people in this building who do the cleaning are 32BJ members, and I would hate to think what would happen if I came in in the morning and all of my garbage was there from the day before. And I know it's not easy work and the people in the building are delightful and have -- that's been my experience in previous jobs as well. So, first of all, thank you for your work.

I also am interested in your comments about other countries, particularly the country you came from, that provide generous maternity benefits. And I am aware that sometimes, even though we think in the United States that we have it all and that we are better than any other country in the world. In some ways we are. In other ways, probably not. But I do think that realizing that other countries have much greater benefit that what we're proposing here is something important. So, I appreciate you bringing that up in your testimony and, you know, it does give us something to aspire for -- towards.

MS. KARWOWSKI: Thank you.

SENATOR KUSHNER (24TH): Any other comments from committee members? Go ahead, Representative Hall.

REP. HALL (7TH): And I would just like to thank you for coming out this evening as well. And just to piggyback off of what Representative Kush -- excuse me, Senator Kushner said. My wife actually works for a Canadian company and she gets 16 weeks of paid
maternity leave and any man also gets 16 weeks of paid paternal leave. And so that's here, because it's a Canadian company, they offer it to their U.S. employees as well. And so, that's something that we need to really think about, how we're far behind other industrialized countries with regard to paid family leave. Thank you, though.

SENATOR KUSHNER (24TH): Well, since Representative Hall mentioned the Canadian company, I want to say in my community of Danbury, Connecticut, there's a company that's parent company is German, and they too provide their employees with paid family leave because it comes from their experience in Germany. So, yeah, we could catch up. We need to catch up. Thank you. Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. So, Representative, I think you have a bill on the agenda also, 6739? And I do appreciate the fact that you ceded your time to the gentle lady to your right.

REP. TERCYAK (26TH): Yeah.

SENATOR MINER (30TH): But I -- and I just wanted you to know that I have had communication again this year from parents of disabled individuals that remain very concerned about, not what you're trying to do, but what the impact may very well be with regard to their loved ones. And so, I'm happy to speak with you at some point, if you'd like to. I just wanted you to know that I recognized it was on the agenda and I recognized your good will in offering your time, but that didn't mean that I didn't want to have a conversation with you about your bill. So, anyway, thank you.
REP. TERCYAK (26TH): Thank you very much. I'll look forward to that conversation. Thank you, Madam Chair.

SENATOR KUSHNER (24TH): Thank you both. Next we will hear from Nora Duncan. Actually, I had Azzad Ishmael. Is Azzad still here? Azzad is here. Okay. I'm sorry. I went a little out of order. So, Azzad, do you want to come up? And that will be followed by Senator Mae Flexer if she's here.

MR. ISHMAEL: This is my daughter, Azzad Ishmael. Good evening, Chairs Kushner and Porter, and members of the committee. My name Azzad Ishmael and I'm here to voice my support for paid family and medical leave. I am a recently retired member of SEIU 1199 New England, and a current executive board member. I worked for 38 years at Chelsea Place Care Center at Chelsea Place Care Center in the building maintenance department. On Valentine's Day five years ago, I went to the doctor after experiencing tightness in my chest and was told I had a quadruple blockage in my heart and would need a lengthy open heart surgery.

I returned to the hospital a few days later and underwent a six hours open heart surgery in which at least one of my ribs was fractured. After my surgery, I could not return to work. In fact, my doctor cautioned me to prepare for a lengthy recovery. Luckily for me, I had accrued some paid vacation and sick time up until this point and was able to use this to cover approximately a month and a half of my recovery. However, my recovery took much longer than that.

In addition to the limited paid leave I had saved up, I was also able to access a limited amount of
short-term disability, although this program accounted for less than 50 percent of my salary at that time or at this -- at this time. So, my monthly income was effectively cut in half. During my recovery, my wife was forced to use what little vacation time she had accrued in order to be home and take care of me. Additionally, my wife quit her part-time job because they would -- they wouldn't allow her to miss an extended period of time.

Throughout this time, my family experienced extreme strain. Like most people, we had a mortgage, student loan, utilities, credit card and daily life expenses to pay for. Though my wife hadn't told me at the time, she often had to resort to begging financial institutions to grant us a stay on paying our bills, and more than once, felt as though she was going to have a breakdown. We kept all of this from our daughter at the time, in hopes of sparing her the anguish.

It was at my three-month doctor's appointment that I found out that I had lost my insurance. Apparently, after three months without working, I had become ineligible for the insurance of my job had supplied. My wife had been on my insurance as well. So, at that point, neither of us were covered. This only added to the strain, increased my desire to return to work even though I was not fully recovered.

Finally, my six-month checkup came. On my way to this appointment, all I could think about was how I needed the doctor to approve me to go back to work, because we badly needed the money. Furthermore, every day I did not work was another day my wife and I went uninsured. I knew I was not fully recovered, but we were desperate. After speaking with my
doctor, he hesitantly approved me to return to work, although he warned that I strained myself too much, I risked reopening my chest and my heart exploding.

Even after I returned to work, it took my wife and I several months to catch up on our bills and to regain insurance coverage. Had there been a paid family and medical leave program in Connecticut at this time, my wife and I would have been able to continue paying our bills while we both were out of work. This program would have given my wife the peace of mind she needed during this time and protected her employment while she cared for me.

Though the experience my wife and I had was horrible, there are many people in Connecticut who do have the same safety nets that we did. Not everyone has a job that grants vacation time. Not everyone has a loved that can afford to stay home with them, and not every financial institution are as lenient as the ones we dealt with. Please pass paid family and medical leave now. Thank you for the opportunity to testify today.

SENATOR KUSHNER (24TH): Thank you so much for sharing your story with us and we're happy that you're here and you look very healthy. And that's a good thing.

MR. ISHMAEL: Thank you.

SENATOR KUSHNER (24TH): Are there others on the committee that would like to ask any questions? Okay. Well, thank you very much. And one thing I do appreciate about your testimony is that, while you struggled, you still understand that -- you were able to get it, you still understand that you don't want other people to struggle like you did, and I
think that's an important value in one that she should cherish. Thank you.

MR. ISHMAEL: And that's my main purpose of being here, so others wouldn't have to go through the experience I had.

SENATOR KUSHNER (24TH): Exactly. Thank you.

MR. ISHMAEL: You're welcome. Have a good evening.

SENATOR KUSHNER (24TH): Next up we will -- is Senator Flexer here? Okay. Then I have Representative Napoli, Butler, Geraldo Reyes, Elizabeth Brown and Caity Awwad. So, they have left. Okay. Next I have Representative Phil Young with Kaitlyn Shake. Well, come on up. You were on the list.

MS. SHAKE: Thank you for letting me speak, technically, out of turn.

Dear members of Labor and Public Employees Committee of the Connecticut General Assembly. My name is Kaitlyn Shake and I live in Stratford, Connecticut. I'm here in support of S.B. 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and H.B. 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

I have been a nurse for nearly a decade, caring for those in critical care to women's health/maternal child. Too many times I have beared witness to too many families struggling with the reality of trying to figure out how they are going to take care of themselves or loved ones because they don't or can't get the appropriate time off from work. Only 17 percent, including just six percent of low-wage workers, have access to paid leave through their
employer. We are all one medical emergency diagnosis away from needing a comprehensive paid family and medical leave bill.

Connecticut patients and families need to have the support and protections in place through strong policy in order to be present and available when they themselves or loved ones are in need of care. The stress alone of trying to deal and plan accordingly is overwhelming.

Last May, the day before -- sorry. The day before mother's day, (tearful) the tables turned for me and my family as my mother became suddenly acutely ill and almost died. We had been in the emergency room for a few hours and as I anxiously waited for her to come back from a diagnostic test, I looked down at my phone and realized it was 11:30 p.m. and there was no way I was going to be able to report to work the next day at 7:00 a.m. We had been in the hospital since 9:00 p.m. due to her unknown source of ailments. The doctors had ordered a list of diagnostics, so far inconclusive, but I knew instinctively, as a nurse, that my mother's health status was deteriorating and was put in the position of being her medical advocate and her daughter. (Tearful)

The first few hours I was by myself and was simultaneously managing her care at the bedside and trying -- thank you. (Crying) And trying to be supportive of loving her as she lay there screaming, shaking and sweating in pain. My family started to arrive into the waiting area and this gave me the opportunity to call my job to call out. But I remember trying to calculate how much time I had left in my paid time off and sick bank. I had less
than 40 hours because a week and a later I had a
scheduled vacation time block. I then realized that
I wasn't even able to apply for FMLA because I
hadn't been at current job long enough to even be
eligible.

My mother's medical emergency, like many people in
this situation, was a nightmare. Finally, another
doctor evaluated her and rushed her off for a CT
scan, which showed that she had a perforated bowel,
which I thought she had when we had entered the
emergency room hours ago, and she needed to be
rushed off to the OR for emergency surgery right
away or she would've died within the next few hours
from sepsis. My mother got through nearly six hours
of being in surgery just due to her acuity and
complex nature of her situation, and her recovery in
the hospital lasted several days, but I couldn't be
there for her as I had wanted to because I was
scheduled to work the following three days in a row.

On my breaks at work, I was on the phone with her
doctors, the nurse manager of her unit and case
managers, trying to figure out her plan of care. I
work 12-hour shifts, so, really 13, for any nurses
that are here in the room. So, as soon as I got
out, I drove 30 minutes to the hospital where she
was to be there with her, comfort her and try to
relieve her anxiety before getting her relaxed and
calm to go to sleep. I would leave the hospital
around 10:00 and drive 30 minutes home. The next
few days were like this. And on top of this, we
were in the middle of moving from Fairfield to
Stratford. So, I had to pack up the entire house and
manage my family. Virtually, I'm the oldest of all
the grandchildren, so it was a family home.
The following weeks and months were extremely stressful and we understood that her recovery and healing process would be long. I became and continued to be her full-time caregiver, working full-time. Six months later, in November, she needed surgery again and developed complications a few days postop and suddenly we were back where we were in May, trying to figure out how to manage taking care of her needs, our household, our bills, balancing my job, my responsibilities and my own life.

FMLA would not be enough. It wouldn't fully help me pay the bills. I needed paid family and medical leave. We're still dealing and managing with her complications today, but she is finally on the mend. Connecticut needs S.B. 1 and H.B. 5003, a comprehensive paid family and medical leave. We need it to pass so that Connecticut families, patients and caregivers are able to access the 12 weeks of paid leave as proposed in the bills in order to take care of ourselves and our loved one when a medical emergency or diagnosis requires us to do so. Connecticut families can't afford to wait and I urge you to support these bills. Thank you.


REP. WILSON-PHEANIOUS (53RD): Not so much a question as a comment. I love nurses. They take care of the entire world and themselves sometimes too. Your testimony was very clear, very poignant and very helpful in helping the rest of us understand just how difficult life can be without something relatively simple like paid family leave. I know that there are -- people have raised a lot of
different issues about why maybe it's not perfect for everybody, why people aren't happy, why employers might have to -- are concerned about their bottom line. But the bottom line is the humanity that you show, that your testimony shows, and I just want to thank you for it.

MS. SHAKE: Thank you.

REP. WILSON-PHEANIOUS (53RD): That's what we will be working. Thank you.

MS. SHAKE: Thank you.

SENATOR KUSHNER (24TH): So, Kaitlyn, thank you. No, you can get up. But I do want to say thank you. I know this wasn't easy for you to share the story, because as you remembered the events, it obviously was very painful and upsetting. But that pain and that upset that you experienced is gonna help other people to hopefully not have the same situation and be able to take their family. So, just sharing your story is incredibly important and we appreciate you being here tonight.

MS. SHAKE: Thank you. Can I go?

SENATOR KUSHNER (24TH): Yeah. (Laughter) Back to the public list, I think Nora Duncan is next.

MS. DUNCAN: Good evening and happy Valentine's Day. And to my boyfriend, who's watching at home, happy birthday. Sorry. (Laughs) Sorry I'm here. So, I'm Nora Duncan I'm the state director for AARP Connecticut. And while AARP is clearly a supporter of paid family and medical leave, you've heard from my volunteers I'm here to testify House Bill 6113, which is about banning some questions on job
applications that are really pretty much age discrimination.

So, we have nearly 600,000 members here in Connecticut and nearly 38 million nationwide who are over age 50. Financial resiliency is a key component, a major pillar of our work here in Connecticut and that includes the ability to work and freedom from discrimination of all kinds. The bill that I'm speaking about would serve to prohibit employers from asking a date of birth and graduate date on employment applications. Not in the entire process, but in the initial application.

The issue of age-related questions on job applications comes up constantly when I am out in the community doing job seeker presentations, and I would be -- I'd find it hard to believe one of you haven't heard about this when you are out campaigning and speaking with your constituents. There -- whether it's a perception or not, and there's probably really good employers out there asking for date of birth and graduation dates. There is definitely a perception that this being used illegally to get to age discrimination. And I think in many cases that is true.

Thirty-five percent of the total workforce will be over age 50 by 2022. Work places span five generations and despite overwhelming evidence that an intergenerational workforce is an innovative workforce, we often find practices in play that are directly considered to be discriminatory, particularly when we talk about lay-offs and hiring for new jobs.

We fielded a survey recently of 3,900 people age 45 and up who were job seekers. You have those copies,
hopefully, with the testimony I handed in and they're online. It does show that there are -- that 61 percent of respondents indicated they had experienced age discrimination. Women and African Americans reported in higher percentages. And -- but most importantly, 29 percent of the respondents who were applying for a job or interviewed in that two years previously, 44 percent of them said they were asked for a date of birth or a graduation date. And, you know, it's not legal to ask someone how old they are, but it is legal to ask them a question that two seconds' worth of math to get to the same answer.

So, age discrimination is illegal. Companies put themselves at risk when they ask that question. The Society of Human Resource Managers, I also included something for that, begs people not to ask because it puts them at risk for something that they may not even be doing on purpose. They may not be trying to be discriminatory, but the questions themselves could put them at risk of legal suits later. I have testified for three years in front of this committee on either a bill, specifically this one, or a bill like it that I've added this in as a recommendation and I very, very much look forward to this being the last year I am before you, asking for the same thing.

There -- I know there had been some good questions earlier from Senator Miner about how you get around things, like, you have to be 21 or over to serve alcohol, or whatever the case may be. And there's absolutely ways to get around that that would be of no harm and still do the same good for all the people out there looking for work. Your resume, your experience, that's what should define whether
or not you get an interview, not the day you were born or when you graduated from anything.

SENATOR KUSHNER (24TH): Thank you so much. We were just trying to figure out whose turn it was to-- but, thank you for coming here and it is 8:00, so I appreciate that you stayed to testify yet again this year. But we are seriously considering this bill and I think it's -- you raised some very important points. Are there other members of the committee who would like to -- Representative.

REP. WILSON-PHEANIOUS (53RD): First of all, I know for sure that age discrimination exists. I've talked to many, many constituents and others who are saying that's the number one reason that they can't get employed, that they feel that they're shut out even before somebody has an opportunity to review their qualifications because of the very things that you're, you know, the very things that you've mentioned. So, it is very -- really real. When I've talked to some employers who had, maybe not admitted, but who suggested that the issue of age was of significance, it had to do with medical benefits. It had to do with increasing the pool or increasing the costs of the pool of people that they might have to employ. And I wondered if you had any comments or thoughts about that issue?

MS DUNCAN: I would agree that that is a concern for employers. It doesn’t make it any less discriminatory, and age discrimination is illegal. So, those are my thoughts. You know, we can over to the insurance company and talk about age tax and things like that that we fought for at the federal level around the Affordable Care Act, and preventing
what is basically a tax for being privileged enough not to have passed away already. Yeah.

REP. WILSON-PHEANIOUS (53RD): Well, thank you for that answer.

SENATOR KUSHNER (24TH): Thank you. Other comments or questions? Okay. Well, thank you very much --

MS. DUNCAN: I appreciate the time and, like you said, happy to work on language and pulling national resources to help do so. We're working on this in other states too. So, I appreciate it. Thank you very much.

SENATOR KUSHNER (24TH): Thank you. Next up, I believe, is Representative Carpino. Is Representative Carpino here? She's not here, okay. Representative Hughes? I know she was here earlier. Have we lost her as well? Okay. So, then we'll go back to the public list, and next up is Lou Chimes. Lou Chime. Okay, from Connecticut Legal Aid, okay, Lisa Levy. Oh, are you Lisa? Okay, great. Thank you.

MS. LEVY: Good evening.

SENATOR KUSHNER (24TH): Good evening.

MS. LEVY: Representative Porter, Senator Kushner, members of the Labor Committee, I'm Lisa Levy. I'm an attorney at Greater Hartford Legal Aid. We represent low-wage individuals. I represent low-wage workers. Thank you for the opportunity to testify in support of H.B. 6913, AN ACT CONCERNING COVENANTS NOT TO COMPETE.

I am pleased to come here to support the substitute language that has been attached to Mr. Lou Chimes' testimony from the Connecticut Trial Lawyers
Association and in collaboration with the Connecticut legal services programs.

A non-compete restricts an employee from competing with a former employer by prohibiting the employee from working in a particular occupation or business for a definite time period and in a defined geographic area. Traditionally, non-competes were to protect an employer's competitive edge by preventing more highly-trained and paid employees from taking a job at a competing business and disclosing specialized knowledge and skills acquired from the former employer. In recent years, however, low-wage workers, from janitors to fast food workers to home health aides, have been required to be subject to covenants not to compete.

A 2016 report from the U.S. Treasury found that 15 percent of workers without a four-year college degree and 14 percent of workers earning less than $40,000 dollar annually are subject to non-competes despite the fact that low-wage workers normally do not have the specialized skills nor are they privy to trade secret or proprietary information. Again, recently employers have low-wage workers to sign non-competes. Even a one-year restriction, and Connecticut habitually upheld one-year restrictions, on engaging in the same type of work in a 10-15-mile area adversely impacts the real employment prospects of low-wage workers. Many of these workers do not have a college education or other marketable skills and are dependent on public transportation. Unsurprisingly, state laws in over 20 other states, either by statute or by judge-made law, have placed restrictions on the employer's ability to require non-competes.
And I'd like to point out to the committee that the New York Attorney General has successfully litigated against and obtained settlement agreements against companies such as Jimmy John's, We Work, and EMSI, a national medical company, in regard to their rank and file, lower-paid workers, prohibiting them from imposing these restrictive covenants.

The language of our proposed bill states that a covenant not to compete can only be entered into by a worker who receives hourly pay of more than twice the minimum wage. With Connecticut's current minimum wage of $10.10 dollars per hour, the employee therefore must earn more than $20.20 dollars per hour, or more than $42,036 dollars annually in order to be subject to the non-compete. The proposed language safeguards low-wage workers from being required to adhere to non-competes which pose a real threat to their future employment in their chosen fields.

The committee should also be aware that our proposed language contains protections for both employers and employees. The employer has the ability to still obtain a non-compete in order to protect its legitimate business interests provided that it is reasonably limited in time, geographic scope and employment restrictions necessary to protect such business interests. The covenant cannot restrict an employee's activities for more than one year following termination of the employee, or a maximum of two years where the employee compensates a worker with -- or his base salary and benefits for a period of at least one year following termination of employment.
The proposed substitute language also provides the following extremely important protections. The employers must be presented with a written covenant no less than ten business days prior to the date of signing. The covenant must state that the employee has the right to consult with counsel prior to signing and it must be signed by the employer and the employee. The proposed substitute language therefore adequately protects employees who have no choice but to sign or otherwise comply with a covenant not to compete.

In conclusion, I would also like to wholeheartedly, on behalf of our Legal Aid program, support the S.B. 1 and H.B. 5003, the paid family leaves act bills, in order to -- and I think you've heard wonderful, sincere and articulate testimony tonight. I can just tell you as a Legal Aid lawyer about the domino effect that happens with individuals who have to take unpaid leave from a job and the loss of the necessities of life; eviction, loss of housing, loss of medical care. And I want to thank the committee for hearing my testimony. I'd be glad to answer any questions.

SENATOR KUSHNER (24TH): Thank you. Any questions? I just would -- first of all, I also want to -- I have noted several people who've been up here and have performed really important work for our -- either for us personally here in the building or for society, and you are one of those people. Because we know that Legal Aid -- I mean, you could make a lot more money working for a private firm. And what you do, you do for a love of justice. And so, we really appreciate that.
I do want to say this. When I first saw this bill was proposed, I felt like I was -- I'd been living in a big bubble because I had no idea that low-wage workers were being asked to sign non-compete agreements and it seemed so ridiculous. I mean, I've thought about that in terms of, you know, a highly-professional worker or worker who gets advanced training or an advanced degree through their employment and therefore there seems like a rationale for a non-compete. But I have been told that there are even fast food employers who are now requiring a non-compete from their employees. And I wondered if you had any occasion to share with us what the rationale is from these low-wage, you know, for these employers of low-wage workers?

MS. LEVY: Greed, perhaps? Well, in all seriousness, I think businesses do look at the bottom line. I'm not saying that they shouldn't look at the bottom line, but. Of course, I agree with you. I think it's a logical and works -- a truly detrimental effect on low-wage workers to be subject to non-competes. And at present, Connecticut law takes a fairly generous view of non-competes. In other words, the continued consideration or benefit of the bargain that the workers gets for signing the non-compete is the ability to continue to work at the job. But, of course, most of them are at-will employees and they can be fired the next week for no reason or any reason at all.

I -- unfortunately, I was out of the room when the person from Companions and Homemakers spoke, but I understand that he was expressing concern about the bill. And I just want to point out that the language -- the proposed language from the
Connecticut Trial Lawyers Association as well as our language, but our language is nearly identical with the trial lawyers, but the proposed language would not affect in any way non-solicitation agreements that is preventing an employee from calling customers or reaching out to customers of the former employer. It would not affect trade secret or proprietary agreements. So, in that way, the language on non-competes adequately -- we think sufficiently protects the employer's interests in their good will and their customers or clients and also in trade secret or proprietary information.

SENATOR KUSHNER (24TH): Okay. Thank you. Any other comments or questions? Well, thank you for your testimony.

MS. LEVY: Thank you very much and for your kind words.

SENATOR KUSHNER (24TH): Okay. I am sorry. I tried to catch all the little ones in the room earlier and I - you have such a big girl, I didn't notice. I apologize. So, I am gonna go out of order now and ask Liz Halla Mattingly to come forward, and you've been so good that I didn't even know you were here. You were quiet as a mouse. Okay, whatever you want. You got it. (Laughter)

MS. HALLA MATTINGLY: So, dear members of Labor and Public Employees Committee of the Connecticut General Assembly, my name is Liz Halla Mattingly.

WINNY MATTINGLY: And I'm Winny.

MS. HALLA MATTINGLY: And we live in New Britain, Connecticut. We're here in support of S.B. 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and
H.B. 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

When my daughter was born in 2011, neither my husband nor I were eligible for paid leave. He worked full-time for a company with fewer than 50 employees and I worked several part-time jobs. At the time, I considered myself lucky that my employer was granting me some unpaid time off, even though they weren't required to by law. My family was not prepared for my mom to get diagnosed with cancer shortly after I returned to work in 2012. I was working full-time, but had been in the position for only a few months, and so I was still ineligible for FMLA.

The challenges of being a new mom, a daughter to a cancer patient, and a good employee were not just overwhelming, but simply impossible. Not having access to paid family leave meant I was forced to choose between meeting the needs of my infant or my own needs. And you can probably guess which one won. And often forced to choose between, you know, being employed or helping to care for my mom. These are decisions no one should have to make.

WINNY MATTINGLY: I would also like to share the story of a family who can't be here today. Kat is one of my friends and her family also lives in New Britain. Kat was diagnosed with acute --

MS. HALLA MATTINGLY: Lymphoblastic leukemia.

WINNY MATTINGLY: The Tuesday before Thanksgiving 2017, when she was just six years old. She was admitted immediately and began treatment on Friday of that week. On Monday, her mom went back to work. Even though Kat's mom, Christina, was eligible for
unpaid FMLA, she couldn't afford to take time off of work, even with insurance. Kat's treatment cost thousands of dollars on top of the family's usual expenses.

MS. HALLA MATTINGLY: Over the past year and a half, Christina and her husband, Chris, have had to juggle parenting while navigating a complicated treatment schedule, understanding and sometimes fighting hospital bills, learning about many kinds of drugs, their side effects and complications, figuring out schooling and tutors and 504 plans.

WINNY MATTINGLY: They were there for Kat when she had to shave her head and they do their best to help her when she asks questions like why did this happen to me. Somehow Kat's parents have managed to do all these things on top of going to work. Families being forced to hope of miracles like this every day. What is often invisible is the great expense that these miracles cost in one's own physical, mental or financial wellbeing. It is time for Connecticut to do better for families like Kat's or families like mine.

MS. HALLA MATTINGLY: So, we firmly support S.B. 1 and H.B. 5003, and I really hope that the committee and lawmakers will vote favorably to make paid family and medical leave a reality. Thank you.

SENATOR KUSHNER (24TH): So, that was pretty amazing and when you spoke into the mic your voice was very small, so I didn't hear your name.

MS. HALLA MATTINGLY: Winny.

SENATOR KUSHNER (24TH): Winny. So, Winny, how old are you?
WINNY MATTINGLY: I'm seven.

SENATOR KUSHNER (24TH): You're seven. You know, you're an amazing reader.

WINNY MATTINGLY: Thank you.

SENATOR KUSHNER (24TH): And you've been so good to stay this late and I know it's probably hard on you. But your testimony, I think, really carried a lot of weight with us because obviously it meant a lot to you to speak on behalf of your friend. And so, I think we all hear you and appreciate that you were here tonight and were able to do that.

WINNY MATTINGLY: Thank you.

SENATOR KUSHNER (24TH): You're definitely the star witness tonight. Are there any questions for Winny or her mother? We have a comment from Representative Porter.

REP. PORTER (94TH): No questions, just a comment. I have a granddaughter that's six and you remind me of her. You are absolutely beautiful and what you just did is even more beautiful. So, I just want to say thank you and join Senator Kushner in applauding you for having the courage to come forth because that's a big deal. Right? Having the courage to sit there and to speak to us and to read to us on behalf of your friend. She's a very lucky, a very blessed little girl to have you as a friend. So, I want to say thank you. Great job.

SENATOR KUSHNER (24TH): Thank you.

MS. HALLA MATTINGLY: Well, thank you for letting us skip ahead. It's officially past her bedtime, so we have to rush home. So, thank you for bringing -- thank you.
SENATOR KUSHNER (24TH): I'm sure.

REP. PORTER (94TH): Well, I hope you have sweet dreams. And thank you so much for your patience and for including her in this process and educating her on the importance of being an activist and an advocate on behalf of other people. Thank you so very much. You're setting a great example. All right. You guys get home safe.

MS. HALLA MATTINGLY: Thank you.

REP. PORTER (94TH): You're welcome. (Applause)

SENATOR KUSHNER (24TH): So, next on the list we have Kathy Flaherty.

MS. FLAHERTY: Have five people go ahead of me and then I'll come in. My name is Kathy Flaherty. I'm the executive director of Connecticut Legal Rights Project and I can't follow Winny, but I will do my best. I -- my written testimony focuses on two bills that don't have anything to do with paid family and medical leave, but I do want to tell this committee that I support that for several reasons. One, I'm a union member. Two, I'm a boss. I run an organization of 12 people. We had somebody go out on family leave this year. We -- people can use their sick time, but if they have to go out longer than what the sick time or vacation time that they set - you know, saved up, it's unpaid. And we're Legal Aid lawyers, so. You know, people are making less money than the average lawyer, but people make sacrifices because they need to take care of their families.

My dad was a sole proprietor. My husband is a sole proprietor. I saw what happened to my dad when he got ill. He came and lived with us you know. So,
these are just the things that I think if we make choices as a state about what we value, and you've heard a lot of people tell why we need it, and I'm in support of it.

But I am against H.B. 5053, which is AN ACT ESTABLISHING A TASK FORCE TO INCREASE EMPLOYMENT OPPORTUNITIES FOR PERSONS RECOVERING FROM SUBSTANCE ABUSE, because we don't need a task force. Just increase the employment opportunities. People suffering from -- recovering from substance abuse are people with disabilities. Employers get tax credits for hiring people with disabilities. Let's just hire people. We don't need to have a task force to study how to do it.

And I also am here in favor of H.B. 6739, which is AN ACT PROHIBITING EMPLOYERS FROM PAYING DISABLED EMPLOYEES LESS THAN MINIMUM WAGE. A lot of people may not know that people with disabilities can legally be paid less than minimum wage. All workers deserve a living wage and all workers at least deserve minimum wage, including workers with disabilities.

And one of the reasons that I think it's really important is why I stayed here to testify. The Department of Mental Health and Addiction Services recently got approved for their certificate to pay people subminimum wage, so that they could -- and that enabled them in all these budget cuts to reopen vocational opportunities for people who are inpatients with a state-operated psychiatric hospital in Middletown, which, on the one hand, is great. It gives people opportunities to work.

But CVH has a history of working their patients. The asylum reservoirs in Middletown are called that
for a reason, because they were dug by the patients at Connecticut Valley Hospital. We have a history of not paying people for farm work and other work. The work was good but the pay was not. And the state can help correct that history of exploitation with good jobs for any patient who wants to work for minimum wage. Money is always about priorities and we should make it a priority to create jobs for any patient who wants to work and pay them minimum wages for that work.

SENATOR KUSHNER (24TH): Thank you, Kathy. I do have a question. We had, I think, Senator Miner in previous -- you know, in speaking to a previous witness ask about folks who were concerned that if you -- if this law were to pass that there would be some folks who wouldn't have employment opportunities.

MS. FLAHERTY: I do think that's a legitimate concern. But I speak from a position as a disability rights lawyer, and there is information available from the National Disability Rights Network that raising jobs up to minimum wage does not need to mean that jobs get lost. It may mean some companies are making a little less of a profit. But people with disabilities are entitled to work in inclusive work environments that gives them the opportunity to interact with people without disabilities, and sheltered workshops are a thing of the past. And we need to move beyond that.

SENATOR KUSHNER (24TH): Thank you.

REP. HALL (7TH): Thank you. Any other questions? Any other questions from any other? Thank you. Next we have Jean Cronin. Jean Cronin. Shellye Davis?
MS. DAVIS: Good evening.

REP. HALL (7TH): Good evening.

MS. DAVIS: Well, I want to say good evening to Senator Kushner and Robyn Porter, but they're not here. So, Ranking Member of the Labor and Public Employee Committee, thank you for the opportunity to provide testimony in support of S.B. 1 and H.B. 5003. My name is Shellye Davis and I am the president of the Eastern Connecticut Area Labor Federation, president of the Greater Hartford Area Labor Coalition, and co-president of the Hartford Federation of Paraeducators, AFT Local 2221. I am a paraeducator at Moylan School in Hartford.

In 2012, the legislature passed Public Act 12-43 to provide family and medical leave, FMLA, rights to school paraeducators who, typically, did not work enough hours each year to be eligible for leave under the federal FMLA. The passing of that bill was the initial first step in recognizing the work that paraeducators perform in schools throughout the state. Although paraeducators are entitled to FMLA, it is not realistic. And by that I mean, paraeducators are currently on the low end of the pay scale and simply cannot afford to take unpaid time off.

We, as paraeducators, are here to support our students and families and we cannot do that if we cannot support our own families, especially during times of great need. In the special education field, retention of paraeducators is essential to ensuring continuation of a child's overall education and health. I asked you on behalf of paraeducators and school-related personnel as well as all others to please support and pass bill S.B. 1 and H.B.
5003. Connecticut is due for that to happen for the people of Connecticut. Thank you and I'm happy to answer any questions.

REP. HALL (7TH): Are there any questions from any of the committee members?

REP. WILSON-PHEANIOUS (53RD): I wonder what is the average wage of a para?

MS. DAVIS: Twenty-one-thousand dollars.

REP. WILSON-PHEANIOUS (53RD): So, on a weekly or biweekly --

MS. DAVIS: No, starting. That's the annual salary.

REP. WILSON-PHEANIOUS (53RD): Oh, okay.

MS. DAVIS: Mm-hmm. And, I mean, the paraeducators can have a family of two or three, so that doesn't help at all, where they start.

REP. WILSON-PHEANIOUS (53RD): So, it's well within the amount that a thousand dollars would cover. The bill calls for --

MS. DAVIS: Yes.

REP. WILSON-PHEANIOUS (53RD): So, it's clearly well within that.

MS. DAVIS: Yes.

REP. WILSON-PHEANIOUS (53RD): Thank you.

REP. HALL (7TH): Are there any other questions or comments? Senator Miner.

SENATOR MINER (30TH): Thank you. So, I'm trying to remember back on the time when we had the conversation about including paraeducators in FMLA. And as I recall, there was a question about when the
benefit could be used and were that group included and I don’t see how -- well, let me say this. I believe the municipalities are exempted from this language. And so, I don't think it's anticipated that they would be covered under this language. Were they covered under this language, would you imagine that the benefit could be used outside of the school year?

MS. DAVIS: So, let me say this to you. A lot of paraeducators are paid through the 12 months, through outside of from June, July and August, because they take money out of their checks to cover that. I think what I'm actually saying to you is paraeducators -- you give people titles, but all the people I represent. For working people that put theirself in their work out, when you have sick family members or you lose a loved one, you should be able to take the time that you need to have that happen. We're not helping ourself in the State of Connecticut in any of the -- whether it's paraeducators, teachers, we're not doing what we can to make sure that people are okay. And I think this would take away the stress. I know. I've gone through it with my grandfather, with my uncle. Okay? But I have a big family. Everybody doesn't have a family and everybody doesn't have that support system. And when you go through these things, when you can't afford to pay your bills, or you have to decide whether you're gonna pay your rent or pay your daycare fees, or your car notes, that's problematic. And I think we're all involved in that. And so I think the passing of this bill will put us on the right track for people that are working every day, that are Connecticut residents.
SENATOR MINER (30TH): So, I think I'm right. I think this does not include municipal employees. And if I am right, you're asking that they be included?

MS. DAVIS: I think paid medical leave should be for all people. I do, yes.

SENATOR MINER (30TH): Thank you.

REP. HALL (7TH): Thank you, Senator Miner. Are there any other questions or comments? Well, I'll just say that, Shellye, I've known you for a lot of years and your advocacy in this area and many others has been tremendous and I just want to thank you for staying this long to speak your truth and we're gonna see how we can work with the language in this bill to ensure that everybody has the opportunity to benefit from this program. So, thank you so much for coming out this evening.

MS. DAVIS: Thank you.

REP. HALL (7TH): Merrell Gay?

MR. GAY: Good evening, members of the Labor Committee. My name is Merrell Gay. I'm the executive director of the Connecticut Early Childhood Alliance. The alliance is a statewide membership organization committed to ensuring that all children in Connecticut are healthy, safe and ready for lifelong success.

The Early Childhood Alliance strongly supports S.B. 1 and H.B. 5003. These bills would create the comprehensive system of paid family leave for families who need to take time off for a number of reasons. And you've heard some really compelling stories about all of those different kinds of
reasons; people's individual health issues, family members, and the birth of a child. Some of those stories were actually pretty harrowing and we really shouldn't live in a society that tolerates that level of stress on people. And I want to remind you that in most -- in all the other industrialized countries and, in fact, most countries in the world, that's not the situation. We are unique in that we tolerate this.

I want to actually talk about why we need this for a sort of more mundane, normal reason as opposed to something as harrowing. Small children are born pretty helpless. They need us to feed them, clothe them, change their diapers, and their brain development is really contingent on the serve and response of interactions with a caregiver. That's what stimulates brain development. And when parents don't have time to bond with their children, that is inhibited.

Dr. Ziegler, from Yale, who just passed away last week, was an eminent psychologist and he talked about how it takes several months of focused attention by a mom, dad or caregiver to become finely attuned with their child's babbling and gestures, and that babies are progressively developing their ability to recognize a caregiver's voice, smell and face by about age three months. And that when children don't have that time to bond with the parent, that contributes to children not having that sense of resilience, that core relationship with a caregiver.

We live in a country where one in four working women goes back to work within two weeks because she can't afford or doesn't have time off. I was reminded as
we -- as so many people here talked about how they patched together their time dealing with these crises with paid -- with their sick time and their vacation time. And I just want to remind us all that it was only a couple of years ago that you, as a legislature, passed a law that requires that service employees in employee -- in working in some place with 50 or more employees get a week vacation -- a week of sick time. There are still lots of people who are not getting any sick time. They don't get to, you know -- they go to work sick or they don’t get paid. And if we have families who are trying to deal with these kinds of crises with no sick time to fall back on.

Those are the kinds of reasons why we need to have this form of leave. I also want to point out that, you know, it's easy for lots of folks to understand why a mom needs to have time off when she's given birth. But dads getting time off is really important too. And that's because when dads have time off they bond more deeply with their children and you see a much more equitable distribution of childrearing tasks between parents when fathers have had some paid time off. And there's good research in all the other countries that have paid family leave to demonstrate that.

In this country, the median time off paternity leave that American dads take is just one week. And 60 percent of low-income dads report taking zero time off. This is a really stark contrast with a country that I think we would all agree is a third-world country, the Democratic Republic of Congo, gives two weeks of paternity leave paid by the government when you have a child. So, this isn't a matter of us not being able to afford it. This is a system that
would be paid for by employees and this is just about creating a system so that families have a sense of security. They don't have to go through a crisis when things that happen to lots of people, happen to them.

I urge you to pass paid family leave and do it this year. Thank you.

REP. HALL (7TH): Thank you, Mr. Gay. Is there any questions? Representative Pheanious.

REP. WILSON-PHEANIOUS (53RD): Yes, I have a question. So, what are -- if I'm understanding you correctly, you're saying that our children in this country are starting off behind because they do not have the adequate developmental and bonding time with either of their parents given a comparison to other places in the world. So, really, what I'm hearing you say is that we're - our kids are starting off behind, and if they're low-income kids, they're starting off even further behind than others. And I just want to make that point clearly.

MR. GAY: Yeah. We have -- any school system will tell you that we have more and more children who are facing issues of trauma. And sometime in the next couple of weeks, there will be a showing of the movie, Resilience, here at the Capitol, which talks about the impacts of adverse childhood experiences and that there are things that help families -- help children overcome those adverse relationships or adverse situations, one of which is a strong bond with their parents. So, I hope you'll find that time to make it to that movie. It'll be announced in the bulletin. And I hope you can get this bill passed this year.
REP. WILSON-PHEANIOUS (53RD): Thank you. We'll try.

REP. HALL (7TH): Thank you. Any other questions or comments? Thank you. I appreciate your time this evening. Karlene Whonder.

MS. WHONDER: Good evening everyone. My name is Karlene Wonder and I'm a personal care attendant and a member of the SEIU District 1199. I'm here to testify in support of paid family and medical leave. I've been a PCA for over 11 years. My consumer is schizophrenic and is wheelchair bound. She cannot use her hands and without me she wouldn't take her medication. I help her live independently and try to support her to achieve creative pursuits so she can live a fulfilled life.

Because I value independent living so much, it pained me when prostate cancer struck my husband in 2015, and he was forced to depend on me for most of his basic functions. He had surgery and couldn't work for weeks. I had to change the bed, help him take a bath, and help him get dressed. I don't drive, and after my husband's surgery, he couldn't drive either. It was hard to get him to doctor's appointments or do grocery shopping.

My husband had to take unpaid time off from his job and we were forced to live off my salary. My husband needed around-the-clock care, so I took an unpaid leave from my former workplace, at Job Corps, and we lived off of my evening job, doing PCA work. It was very challenging to single-handedly support my husband, my son and my 96-year-old mother-in-law on a weekly PCA salary which was $228.75 dollars. It was so hard to leave my husband in the evening to go to work while I was so worried about him.
I didn't want him to see how stressed I was because I wanted him to be strong. One of the most challenging aspects of my husband's illness was that he developed incontinence. It was so hard to live off my wages that he had to return to work prematurely, even though he was still incontinent. He was a school math tutor with children who sometimes exhibited behavioral challenges. If he spoke loudly, his lower abdomen would hurt and he would urinate on himself. It was devastating to his self -- to his sense of self and it was devastating to me too.

Because of his lack of full recovery, his muscles still aren't always tight enough even now to hold it in. So, when the weather is cold, like just recently, the accidents come back and sometimes he can't tell when he needs to defecate. Even the other day, he had an accident while he was at work. He apologized and said he was sorry for not being the man he's supposed to be. I tell him that we will get through this together. If my husband had access to paid family medical leave, his body would have been able to heal properly.

Every working person should have access to paid family medical leave to be able to fully recuperate. Most importantly, it's about respect and dignity. Without this benefit, I worried about where the next meal would come from or if my husband would get better. I would go into the bathroom, turn on the shower, and pretend I was coughing so my family wouldn't hear me cry. No one should go through this. I respectfully urge you to dignify us with a needed human right which will help to create a more equitable culture for all working families in Connecticut. Thank you for listening.
REP. HALL (7TH): Thank you, Ms. Whonder, for sharing your powerful testimony this evening and speaking your truth so everyone can understand how valuable something like paid family and medical leave could be to folks like you and your husband and other folks in a similar situation. So, thank you so much. Are there any questions or comments? Thank you.

MS. WHONDER: Thank you.

REP. HALL (7TH): Representative Pheanious.

REP. WILSON-PHEANIOUS (53RD): I was gonna say, not so much a question, as a comment. Just, you carry yourself with such dignity and to tell such a difficult story, I just want you to know how much it meant to me personally and how much I appreciate hearing it and I think that will say for everybody in this room, how important this act is, how important it is that we pass it for the many people in your situation and many, many other people's situation. And I thank you for sharing it.

MS. WHONDER: Thank you so much for listening.

REP. HALL (7TH): Thank you. Kit Salazark-Smith, if I said that right.

MS. SALAZAR-SMITH: Good evening and thank you to the committee for hearing my testimony. And it's Kit Salazar-Smith. But that's okay. We're not here for that.

REP. HALL (7TH): They have a K at the end of your name, so that's why, that's why.

MS. SALAZAR-SMITH: Yeah, that's quite all right. I'm here and I stand in support of S.B. 1 and House Bill 5003, paid family and medical leave. Having
worked in Connecticut for a little more than 35 years, I've been fortunate in that my employment I've had -- oft times had some semblance of paid medical leave. And I say fortunate because I have witnessed family, friends and neighbors who are not so fortunate. They don't have that advantage.

In a practical sense, without paid family and medical leave, employees will send children to school sick, or go to work sick themselves, spreading the wealth of illness so others around them will in turn become sick and need to stay home, need to miss school, need to miss work. Many years ago, I met with a group of people, concerned citizens, community activists, some were teachers, some preachers, and some of just plain ordinary Connecticut citizens, and also with a group called Naugatuck Valley Project, and we were trying to find ways to support and push for paid family and medical leave once FMLA became available to folks. Something that was not available back 46 years ago when I had a child. And believe me, my son was born with a malfunctioning kidney and had to stay -- remain in the hospital for five months, so I could've used family medical leave, let alone paid leave.

At any rate, this push for this bill came about after a discussion with some -- that some of us had about our neighbors and family members and students whose families were left in financial turmoil due to illness in a family. And we've heard some heart wrenching stories tonight. Some of them literally brought tears to my eyes. Losing time at work because of a sick child or being sick oneself meant short paychecks, meaning electric bills not paid. So, no power for cooking meals. No lights to do
homework. Food has to be rationed because you don't have an income in order to pay rent or mortgage. You can't buy the groceries that you need to feed your children, so kids go to school hungry. Teachers see them. You can't educate a hungry child. No one learns when their stomach is grumbling. Medical bills and medical needs too are neglected. No money for medicine if you have to pay a heat bill. Proper clothing cannot be purchased to provide for families, especially with children, so they don't have access to seasonal, warm clothing.

This is truly a matter of life and death for many people. To help as best they can in trying to avoid disaster, families without paid family and medical leave may end up in outrageous credit card debt or have to rely on some type of public assistance. So, in that sense, we're already paying for this. On the other hand, studies do show that having paid family and medical leave, employees are more productive and loyal because they feel valued, and employers in turn find value in retaining those employees for the expertise and experience that they bring to the companies that they work for. And training additional people cost more than retaining a good, loyal, expert employee.

Families in our community who have paid family and medical leave are also more financially solvent. So, they maintain their support in financial contributions to communities and support local businesses because they have the money and therefore cash flows throughout the business communities. These days, not many families can go for any length of time without income coming in.
It's hard for me to understand this, but the United States is one of the only countries that calls itself a leader that doesn't have nationwide paid family and medical leave. There are 41-plus countries that are ahead of us in this, countries like Estonia, which has 87-plus weeks, to countries like Mongolia, with 17 weeks, Sweden 16 weeks, and an additional 38 other countries that stand tall in front of us. And no reflection on those other countries, but since did we allow ourselves to come second to Estonia and Mongolia in caring for families who struggle to choose between eating every day and keeping their lights on? And here in our country, I believe that surrounding states, Rhode Island, Massachusetts, and New York, now have paid family and medical leave.

You know, there's -- it's sometimes hidden, but very real suffering in communities here in Connecticut. And maybe some of us aren't aware because in our own daily hustle and bustle of life we can miss the signs of a child sitting in a classroom sleepy because of hunger, because that's what it does to people.

REP. PORTER (94TH): I'm so sorry to interrupt you. But we've been here a really long time and we're taking to heart everything you're saying, but --

MS. SALAZAR-SMITH: Yeah. I'll wrap it up. I'll wrap it up.

REP. PORTER (94TH): Thank you so much. Thank you.

MS. SALAZAR-SMITH: At any rate, these families, through no circumstances beyond their control, are not given paid family and medical leave that's available in many other countries. Surely, we can
do better for our families, friends, neighbors and better for our communities, which in turn is better for ourselves. And thank you very much. I apologize for the length of time. And thank you for all of you sitting here. I have to tell you, this is my first time testifying, and I had no idea of the hard work and the time that you spend here. I'm in admiration and amazed and thank you very much for hearing me.

REP. PORTER (94TH): Thank you so much and thank you for your patience tonight. We have up next Alisha Soto. And as you make your way, I just want to remind everyone, because we have been quite lenient and a lot been going on under the dais, but we have three minutes, and when that bell rings, if you haven't finished, I'm just asking that you would please wrap it up for me. Okay?

MS. SOTO: Okay.

REP. PORTER (94TH): Thank you so much.

MS. SOTO: Good evening. My name is Alisha Soto and I live in Hartford, Connecticut. I stand in support of Senate Bill 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and House Bill 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

I am the sister of two women who gave birth last year, one of whom lives in Connecticut. The sister that lives in Connecticut developed a hematoma in her stomach from her C-section and was told by doctors that she should try to be on bed rest as much as possible until the hematoma had healed. Because of this, my sister's husband had to take time off work to care for her and their three small
children. During this time, his job was protected and he did not worry about being fired; however, that time off was completely unpaid.

Instead of both parents spending this time to bond with their new baby, they were worried and stressed out about how to pay their bills without a steady income. They maxed out credit cards and borrowed money from family members to make ends meet, to pay for basic necessities such as rent, food, and electricity. Months later, they are still struggling to pay back the credit cards they maxed and the money they borrowed. They are constantly stressed out about what would happen if one of them were to get sick again.

My other sister, who had given birth around the same time, who lives in England; a nation with guaranteed paid family leave for new parents. Her husband was able to take two weeks paid time off to bond with his newborn and my sister was able to take 38 weeks off, six weeks of full wage and the remaining weeks at 90 percent of her wage. Meanwhile, in Connecticut, the only option available is FMLA. And many families either don't qualify or cannot afford to take the paid -- the unpaid time off that FMLA offers.

I have seen how a medical condition can derail your life for months, physically, emotionally and financially. I have seen how essential it is to pass comprehensive paid family and medical leave here in our state. It would give many families peace of mind to know they will not have to choose between being there for a loved one and keeping a roof over their family's head. I strongly support Senate Bill 1 and House Bill 5003 and urge the
committee to vote favorably to make paid family and medical leave a reality for all Connecticut families. Thank you for your time.

REP. PORTER (94TH): You're welcome and thank you, Alisha, for your time and your patience tonight.

MS. SOTO: No problem.

REP. PORTER (94TH): Any comments or questions? Seeing none. Thank you again. I'm sorry. Senator Kushner would like to say something.

SENATOR KUSHNER (24TH): I just really appreciated your drawing the comparison between your sisters experience. And so, that's very important to hear. Thank you.

REP. PORTER (94TH): Next up we have Johanna Schubert, followed by Mark Natt. Good evening, Johanna.

MS. SCHUBERT: Good evening. How are you?

REP. PORTER (94TH): I'm well. And you?

MS. SCHUBERT: I'm well, thank you. And thank you all for your patience and your active listening tonight. So, to Co-Chairs Senator Kushner and Representative Porter, Vice-Chair Senator Osten and Representative Hall and Ranking Members Senator Miner and Representative Polletta, I respectfully submit this testimony in strong support of S.B. 1, to enact paid family and medical leave. Thank you so much for the opportunity to speak today.

I come before you as a future social worker, a full-time student, and a mother. This proposed legislation has far-reaching implications for all
three of the hats that I come wearing today, but I wanted to share with you a personal story.

My son, Patrick, was born in 2010. At the time, I was fully employed with a West Hartford nonprofit, receiving salary and benefits which included paid time off. My company also offered short-term disability options for those that opted and paid in. My husband, at the time, was also fully employed. His company offered insurance as well, but only to primary employees, and so, while we were both covered, it was under separate plans managed by different agencies.

My pregnancy was unexpectedly rough on my body. I had been generally healthy and had saved by paid time off to use after my son's birth, knowing that my company, like so many others, did not offer maternity leave. The frequent doctor's visits and my three hospitalizations, each for several days, quickly ate up that bank of stored days. I was also put on a restricted work schedule for the last several month of my pregnancy. This depleted the rest of that time off that I had saved. I submitted my doctor's orders on my limited hours to our short-term disability provider and found out that I just missed the threshold to receive those benefits. In other words, my condition wasn't limiting enough.

Thankfully, my son was born healthy and most of my health issues resolved after his birth in April of 2010. If paid family and medical leave had been enacted at that time, I would've -- it would've had a major positive impact on my family. Thanks to the flexibility of the company I worked for, I was able to take 12 weeks maternity leave to recover and to bond with my son. I was grateful that my job would
be waiting for me when I was ready to return. During that time, however, because I had used all of my paid time of and did not qualify for short-term disability, I went unpaid.

My husband's salary was not enough to cover our total household expenses. In addition, we had mounting medical bills to pay. My husband and I had no choice but to take out credit cards to cover those debts. Our credit suffered when some of those payments were late. And we started our lives as a family with his burden. Paid family and medical leave would've allowed us to pay down the medical debt as it arrived. It would've allowed us to know that when powerful storms hit Connecticut that spring that our electricity and gas would not be in danger of being shut off.

Those financial hits we took followed us for years. Because of the hit to our credit at that critical time, we were subject to higher interest rates when we purchased a car for our family and our first home. Thankfully, our credit has been restored and we've been able to pay off that debt, but it did take many years. Paid family and medical leave would've been a life changing support for me and my family and I hope that it will be enacted this session so that in the future, as a social worker, I can call on it as a means to improve the quality of life for those clients and communities I look forward to serving.

REP. PORTER (94TH): Thank you, Johanna. Any questions or comments from the committee? Seeing none. I would just like to say thank you. I know all too well that struggle. I'm glad that you've gotten through that and I'm glad that you were able
to get through this and be with us this evening. So, thank you again for your testimony.

MS. SCHUBERT: Thank you.

REP. PORTER (94TH): You're welcome. You have a good night. Mark Natt, followed by Emily Rodewald. Good evening, Mark.

MR. NATT: Good evening. Thank you all for being here to hear my testimony on Senate Bill 1. My name is Mark Natt. I'm from Meriden, Connecticut. I work at Pratt and Whitney. I'm a member of the Machinist Union and I'm the president of the Central Labor Chapter.

My story starts back in 2010. I got married and shortly thereafter my wife got very sick. She was in a coma for about three weeks in ICU at MidState Medical Center with MRSA. And they were able to save her life and they did a great job. I missed a lot of work. I immediately got put on family medical leave. It all worked out. And like many people here today, I didn't have the time. I had to take all that time off unpaid. Throughout the next seven years, she came down with pancreatitis, diabetes. She got treatment for hepatitis. She had a liver problem, ketoacidosis, and she passed away back in June of 2017. And I hope no one ever has to go through all the different things that I did with her.

And, you know, we had to make decisions on what to do, not to do, what we could afford to take off. And it just made it very difficult and I really hope no one ever has to go through that. I really think this bill will help a lot of people. I hope you guys really consider that when you debate this in
chambers and I really hope you pass this bill. Thank you.

REP. PORTER (94TH): Thank you. Any comments or questions from the committee? Senator Kushner.

SENATOR KUSHNER (24TH): Thank you for sharing your story with us and I'm so sorry for your loss. And I think that it's stories like yours that is what really motivates us to be here tonight and to make sure that we get this done this year. I appreciate the fact that no one should have to go through what you went through.

MR. NATT: Thank you.

REP. PORTER (94TH): I would just like to echo the Senator's sentiments and offer you my condolences. I'm sorry for your loss. But I thank you for having the courage to come and share that story with us tonight, and it did not fall on deaf ears.

MR. NATT: Thank you.

REP. PORTER (94TH): Thank you. Senator Miner.

SENATOR MINER (30TH): Thank you, Madam Chairman. So, are you still with Pratt?

MR. NATT: Yes, I am.

SENATOR MINER (30TH): And, through you, Madam Chairman. Does Pratt offer paid family and medical leave now?

MR. NATT: No. I have disability if I get sick, but not if my spouse or my child gets sick.

SENATOR MINER (30TH): So, through you, Madam Chairman. One of the things that I think we're grappling with is what the impacts might be, whether
perceived or real, on small companies and large. Do you think that by passing this legislation it may drive corporations like Pratt to move jobs to another state that doesn't offer this benefit?

MR. NATT: I don't think so, although I do think that some of the abuse in the system would need to be looked at, in that there's people that are -- have it for depression that just -- it seems like they're -- they have attendance issues and they use nonpaid family leave, you know, so that they don't get fired. And that may need to be addressed on how to clean that up a little bit. And they may actually -- if that was cleaned up, they may like it better because it's really not costing them anything.

SENATOR MINER (30TH): Thank you, and thank you, Madam Chairman. I also wanted to thank you for staying here today. You know, you've heard the same stories we've heard and you've added your piece to this puzzle. Your whole testimony, I think, has added a piece to the puzzle. And so, again, I thank you.

MR. NATT: You're welcome.

REP. PORTER (94TH): Thank you again. Emily, followed by Lauren Pease. Good evening, Emily.

MS. RODEWALD: Good evening. Dear members of Labor and Public Employees Committee of the Connecticut General Assembly. My name is Emily Rodewald and I live in Simsbury, Connecticut, and I stand in support of S.B. 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and H.B. 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.
It has been almost three years since my mother and I moved my grandparents across the United States from California to Connecticut to live with us. At ages 86 and 87 years old, they could no longer care for themselves and we thought that they would be better cared for and attended to if they moved in with us. However, we did not know what we were getting ourselves into. My mother, the main provider for our family, works for a small business owner and gets paid hourly. Over the past three years, there have been numerous times when she's had to miss work due to being the sole caregiver of her parents.

Although her employer has been understanding of our family's circumstances, my mother does not get compensated for those days she has missed work to deal with the unexpected medical emergencies that have begun to arise more frequently due to caring of her elderly parents. Lack of paid family leave directly impacts my family not only financially, but emotionally as well due to the amount of stress it causes.

Paid family and medical leave would benefit my family. It would alleviate the stress and worries that permeates my family if my mom were able to take time -- paid time off properly to care for my ailing grandparents. It would decrease the financial stress and burden of having to miss work to focus on the health and wellbeing of my grandparents. My mother would no longer stress over having to choose between caring and tending to my grandparents or having to go to work to keep a roof over our heads.

As you have heard tonight, Connecticut is now surrounded by states that have passed family leave. States including Rhode Island, New York and New
Jersey have passed and successfully implemented paid leave programs and Massachusetts just this past July. It's time for Connecticut to do the same. Thank you for your time.

REP. PORTER (94TH): Thank you and thank you for your testimony tonight. Any comments or questions from the committee? Seeing none. Thank you again. Lauren, followed by Erica Mott. Good evening, Lauren.

MS. PEASE: Good evening to the members of the Labor Committee and thank you for your time and patience today. My name is Lauren Pease and I'm a resident of Hartford, Connecticut. I strongly stand in support of Senate Bill 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and House Bill 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

I am currently a graduate community organizing student at the UConn School of Social Work and an intern at the Connecticut Women's Education and Legal Fund, or CWELF. Through research, personal experience and hearing about the impact that a lack of paid leave has had on my peers is the reason why I believe we need comprehensive paid family and medical leave in Connecticut.

No one plans for someone to get sick or to no longer be able to care for themselves, but when it happens it is an all-encompassing experience. Towards the end of my grandfather's life, his mental faculties deteriorated quickly and unexpectedly. He lived alone and required constant care because his memory was fading and he was no longer able to remember who I was or my name and his mobility become an issue. I was the family member closest to where he lived,
which was still a two-hour drive away from me. Others made arrangements to take time and travel, but my assistance was needed until they could get there.

I was fortunate enough to have a job where they were able to accommodate me, by allowing me time off and the option to work remotely when I could. I was completely overwhelmed and I cannot imagine getting through that period of time while worrying about whether or not I would have a job to come back home to.

In addition to paid leave, a crucial aspect of this bill, in my opinion, is the expanded definition of chosen family. This means that regardless of blood type, any individual whose close association with the employee will be seen as the equivalent to that of a family member. This addition to the bill would benefit many individuals, but particularly my own community as a member of the LGBTQ+ community. Members of my community may rely solely on a close friend or may not have supportive family members who would be willing to aid them in a time of need.

We have seen successful paid leave programs implemented in Massachusetts, New York, New Jersey, and Rhode Island. With proof of the efficacy of a program in other states, it is unacceptable that people are put in a position where they must choose between financial security and their health or the health of a loved one. Passing paid leave will be a powerful step in striving for economic, social and racial justice for the residents of Connecticut. I strongly support both these bills and I hope that this committee and Connecticut lawmakers will vote to make paid family and medical leave a reality for all Connecticut workers. Thank you.
REP. PORTER (94TH): Thank you for your testimony. Any comments or questions? Seeing none. Thank you and thank you very much for sharing that story with us tonight. All right, have a good night. Erika, followed by Liz Halla Mattingly. Good evening, Erika.

MS. MOTT: Good evening, members of the Labor and Public Employees Committee of the Connecticut General Assembly. My name is Erika Mott and I am a resident of Manchester, Connecticut. I stand in support of S.B. 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and H.B. 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

I'm a graduate student at the UConn School of Social Work and I firmly believe in striving for economic, social and racial justice in every way possible. I come from a working class family where paid time off is nonexistent. My mother has worked two jobs for most of her life and for the past ten years she's been working two jobs where taking time off would mean not getting paid. So, it's not an option for her. Because of this, I watch as she has injuries or illnesses and she doesn't go to the doctor. The reality for people like my mother and most of my family and other working families in Connecticut is that they have to choose between tending to their health concerns or paying their rent or mortgage.

My mother is extremely hard working and does not show weakness. But I worry about her. I worry about her as she gets older and the impacts of not seeking medical attention as she should. I worry about every child who has a parent in the same situation and they cannot help. People should not have to choose between financial stability and their
health. Not having paid leave puts workers in positions where they fall behind on paying their bills. Because of this, they are more likely to file for bankruptcy. Many workers in this state, just like my mother, are in a place where one unfortunate incident could leave them with a large medical bill that they cannot afford.

As previously mentioned this evening, states surrounding us, like Massachusetts, New York, New Jersey and Rhode Island, have all implemented paid leave programs and legislation is being discussed in Maine, New Hampshire and Vermont. And California has had a paid leave program for more than ten years, and employers report that there has been positive or neutral effects on their businesses. I strongly support these bills and I hope the committee and Connecticut lawmakers will vote favorably this year to make paid family and medical leave a reality for all Connecticut workers. I thank you very much for your time.


MS. GILMARTIN: Dear members of the Labor and Public Employees Committee. My name is Robin Gilmartin and I live in West Hartford, Connecticut. I support S.B. 1 and H.B. 5003. My testimony centers on the issue of living organ donation. Importantly, S.B. 1 includes paid leave for those who choose to be living organ donors and bone marrow donors.
In 2017, I donated my left kidney at Yale-New Haven Hospital to someone I did not know. My donation started an 18-person kidney chain. That is nine organ donors donating to strangers, thereby guaranteeing loved ones with advanced kidney disease a life-saving organ. In 2015, my wife, Diane Mack, donated a kidney to someone she never met who had been on dialysis for seven years. What distinguishes my wife and me as living kidney donors is that we were able to afford to donate without financial worries while recovering from the surgeries. My wife has retired and receives a monthly pension, while I am self-employed and was able to return to a sedentary job in just one week.

Many living organ donors are not so lucky and suffer significant financial hardship as a result of saving another person's life. For donors whose jobs are physically demanding, the post-surgery recovery period is a minimum of six weeks, typically, necessitating unpaid leave. While the cost of surgery itself for organ donors is covered by the recipient's insurance, the loss of income by donors has been identified as one of the barriers to living organ donation -- living organ donation. Research shows that willing organ donors are sometimes unable to donate due to loss of income.

The issue of paid leave for organ donation may seem uncommon or esoteric. To illustrate the importance of paid family and medical leave to living organ donation, I want to share some facts. First, kidney disease itself is a public health crisis. Thirty-million people or 15 percent of U.S. adults are estimated to have chronic kidney disease. There are 114,000 Americans, over 1,250 in Connecticut, currently on the National Organ Transplant List.
Eighty-three percent are waiting for a kidney. Most of those waiting will either be removed from the list because they became too sick for surgery or will be among the 22 people who die each day waiting for an organ.

Meanwhile, every ten minutes another American is newly added to the wait list, many here in Connecticut. Finally, this is a racial equity issue. Those awaiting organs are disproportionately people of color. While people of color make up 36 percent of the U.S. population, they represent 58 percent of the National Organ Transplant List. Even if the number of licensed drivers registered as organ donors doubled, there would still not be enough cadaver organs for those in need because of the challenges of successfully harvesting organs upon death. Living organ donors are desperately needed and public policies should reflect that need and have the backs of every living organ donor by ensuring lost wage replacement.

Paid family and medical leave will save lives by helping to facilitate living organ donation. I thank the committee for considering my testimony.

REP. PORTER (94TH): Well, I thank you for your testimony and for shining an entirely different dimension on why this bill is so critical. And I thank you for what you and your wife have done and the many others that followed behind you and to -- that's a big lift and I don't know many people that would willingly give up one of their kidneys for a stranger, and may even struggle to do it for a loved one. So, I just want to say thank you on behalf of the person you did that for and ask if anyone has any comments or questions for this young lady.
MS. GILMARTIN: She is doing very well, by the way.

REP. PORTER (94TH): I'm glad to hear that. Senator Kushner.

SENATOR KUSHNER (24TH): Your testimony was very moving. It's not often that we get to meet someone as courageous as you and -- so, thank you for coming here and sharing your story. And as Representative Porter said, it's an issue that I don't think I had really considered or thought about, and I think particularly the racial equity piece of it that you brought to light as well. So, thank you so much, and you have been heard by us.

MS. GILMARTIN: Thank you.

REP. PORTER (94TH): Next up we have Rick Melita, followed by Beth Hamilton. Rick has left. Is Beth Hamilton still here? Well, yes, you are, Lucy Nolan.

MS. NOLAN: So, I'll speak for Beth as well.

REP. PORTER (94TH): Good evening.

MS. NOLAN: Good evening. Thank you. My name is Lucy Nolan. I am the director of Policy and Public Relations for the Connecticut Alliance to End Sexual Violence, and I am here to speak on -- I am here to speak on S.B. 697, AN ACT CONCERNING NONDISCLOSURE AGREEMENTS IN THE WORKPLACE, but I would also like to speak for Beth, who had to leave. Her daughter was here with her and needed to go to bed. On S.B. 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and H.B. 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

And what I want to say for both of these is we need to look at victims of sexual assault. Because when
people are victims of sexual assault, they need time, they suffer huge trauma, and to be able to take paid leave to save not only themselves, but their jobs so that they can continue on for something that happened to them, viciously, is really important. So, we are very supportive of this -- of these bills for that reason. And Beth wanted me to also say that we are also very supportive of the chosen family in this, because so many LGBTQ families are harmed as well in this. And so, we wanted to make a point.

The other thing is on the nondisclosure agreements. We support a victim-centered approach to them and when they're a condition of employment? Many people that have been sexually harassed or sexually abused aren't able to maybe do a good settlement. They might be closed out of what they can do. And so, what we do suggest is that they never be a contingency of employment, but also that they can be allowed if a person chooses to have them allowed, but they can't be something that the company forces on an employee, because many victims of sexual assault, in fact, don't want people to know what happened to them. They want to be able to maybe get a better settlement, and one way is to be able to use the nondisclosure agreement.

And so, in my testimony you'll find that I took what we had from the National Alliance to End Sexual Violence has developed suggestions for policy concerning nondisclosure disagreements to develop the standards and it -- they're in my testimony, so I hope that you can take a look at them and maybe that'll help you with that legislation. So, thank you.
Oh, and I did want to say one thing, Senator Miner. When I was the executive director of End Hunger Connecticut, we were a very small nonprofit, but we had a six-week paid family leave, which we had four babies and I helped take care of my mother when she was ill too. And what was great about it was that everyone came back. And so, we really didn't miss a beat. It was hard. There's no question about it, picking up that job. But we -- when they came back, they were rested, they were ready, they felt good with their kids and it was -- you know, it wasn't long enough, however. Six weeks was not long enough. So, thank you.

REP. PORTER (94TH): Thank you, Lucy. One question.

MS. NOLAN: Mm-hmm.

REP. PORTER (94TH): The use of nondisclosure agreements, are they common?

MS. NOLAN: They're very, very common. And what's -- and they're not -- often not legal. Right? But people don't know that because their employers have told them that, you know, they're not -- they're afraid some -- they're gonna have to pay back money, they're gonna lose their jobs, all sorts of lists of horribles are gonna happen, when in fact it is illegal federally to -- to -- for an employer to say that somebody can't report their sexual harassment or sexual assault.

REP. PORTER (94TH): Okay. That's good to know. And one last question. Does the prohibition include complaints of workplace discrimination?

MS. NOLAN: On the nondisclosure?

REP. PORTER (94TH): Yeah.
MS. NOLAN: Yes. That's what we would like it to be, to have sexual harassment be part of workplace discrimination. So we have the -- it would cover everything.


SENATOR KUSHNER (24TH): I appreciate that you came here to testify on Proposed Bill 697 and, you know, happy to hear your testimony on that. I think it's a really important issue. But, while we have you, you did mention that you were a small business in a sense, even though it was a nonprofit. And I'm assuming that the people that worked there were pretty -- needed a certain level of training and were hard to replace.

MS. NOLAN: Yes.

SENATOR KUSHNER (24TH): You know, we're heard some questions from committee members tonight about small businesses and I would include nonprofits in that as well, and I know we heard from at least one other person who said this would be a strain. You mentioned that you were able to do this and I'm happy to have that testimony. Can -- there was also concern about abuse and is that something that you were concerned about as an employer? That somehow, if we had paid family leave, that people would abuse that?

MS. NOLAN: No. Nobody abused it. In fact, one woman stayed later. She was able to afford it, so she took some paid time off. But one of our SNAP outreach workers who would answer the phone and help people get SNAP benefits, and that is a very highly-
trained position, was the one who had three kids while she was there, and, you know, people had to just pick up for her. And people did it because they liked her, we were a close family. And when she came back, it was great to have her back. There was no question about it. But we didn't have to retrain somebody, right. I mean, that saved that much money too, because there wasn't any retraining. She came back and she was ready to go to work.

SENATOR PORTER (94TH): You know that has been my experience too, that workers often will pitch in for other workers when they have a need. Sometimes, even in some places, offering their own sick time to put into the bank to help people, you know, bridge the time that they need. So, you know, I think that's more often the case than someone abusing it. So, thank you.

MS. NOLAN: Mm-hmm.

REP. PORTER (94TH): Thank you, Lucy.

MS. NOLAN: Thank you.

REP. PORTER (94TH): Have a good night.

MS. NOLAN: Thanks, you too. Thank you for staying so late.

REP. PORTER (94TH): Thank you. We know. Next up we have Amanda Webster, followed by Larraine Shea. Good evening, Amanda.

MS. WEBSTER: Good evening.

REP. PORTER (94TH): Thank you for your patience.

MS. WEBSTER: Thank you all for being here and engaged, so. Dear members of the Labor and Public Employees Committee. My name is Amanda Webster and
I live in Granby, Connecticut. I stand in support of Senate Bill 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and House Bill 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

Like many women, I take on several roles, but I'm here to talk about my favorite and the role that I've been most privileged to have held for the last seven years, that of being a mom. I have two sons who fill my days with laughter and dinosaur facts. And while they delight in the world of Marvel and DC Comics for their superhero stories, the truth is that my seven-year-old son is an actual superhero himself. You see, I belong to a distinct group of parents who, despite the hardships and stresses that seem to endlessly crash towards, navigate a daily life caring for a child with medical complexities. And it's because of watching my child meet tough situations with unwavering bravery that I sit here today to share my experience and the goal of lessening the pain for so many other families just like mine.

Because while we have accepted the realities of our children's lives; we will never accept a system that prevents families from being together in the most critical of times. I've learned how to juggle multiple specialists, how to fight insurance, and how to comfort a crying child during blood draws and IV placements. But I have yet to learn how to be in two places at once. And without a paid family and medical leave program in our state, that is what is being asked frequently of families just like mine. While I'd like to the moral responsibility of doing the right thing for families like mine would be sufficient for these bills to pass sweepingly, I
acknowledge that there are many who view situations from the sole lens of finances.

So, let me be clear with the financial aspect of this. Working families deserve the respect of their family's economic security by being able to care for their family members without losing their paycheck. It does a disservice to employers to have employees that work when their heart and their brains are away from their job at hand and instead with their child in the hospital. It does a disservice to the economy when a parent, who is now with less pay, puts less money back into their local economy. It does a disservice to our state to be surrounded by other states that offer paid family and medical leave, and choose not to join them.

It is often said that a budget reflects priorities. And so I look forward to seeing family in Connecticut be given the priority that they truly deserve in this one. Thank you.

REP. PORTER (94TH): Any comments or questions from the committee? Senator Kushner.

SENATOR KUSHNER (24TH): Thank you for coming in and sharing that testimony with us. I think you did very well.

REP. PORTER (94TH): Yes, you did. As they would say, you dropped the mic. Thank you and have a very good night.

MS. WEBSTER: Thank you. Have a good evening.

REP. PORTER (94TH): You're welcome. Next up we have Larraine Shea, followed by Win Evarts. Larraine Shea? Going once, twice… gone. Win? Marian Leist. I'm gonna mess this up. Shelagh

MS. WALKER: Good evening.

REP. PORTER (94TH): Thank you for your patience.

MS. WALKER: Yes.

REP. PORTER (94TH): It's been a long day.

MS. WALKER: It has. But, you know, I think it's a little bit earlier than it's been in past years. But yeah. So, I'm gonna skip around in my testimony. You all should have it available online. I submitted it. But thank you all, members of the Labor Committee, Senator Kushner, Representative Porter. My name is Arvia Walker and I'm the public policy and strategic engaging specialist at Planned Parenthood of Southern New England. And I'm here to testify in strong support of S.B. 1 and H.B. 5003.

We've heard from many folks tonight who know the importance of a paid and medical leave system. Just in talking about my role at Planned Parenthood. We're one of the largest reproductive health organizations in the country. We see about 60,000 patients here in Connecticut and Rhode Island every year and our mission is to protect the fundamental rights of all individuals to manage their fertility and their sexual health, and to ensure that folks have access to the services and education they need to realize that right.

I'm not gonna go too much into, like, the details and the stats and everything. But I do want to focus on a piece of the policy. So, as a campaign, we have some policy priorities that we are urging this legislative body to keep in a paid family and
medical leave policy that you all have heard
tonight. So, one is to be publicly administered by
the Department of Labor, high-wage replacements and
job protection for all workers. That this policy
covers family and medical leave and that it's
portable to employees based on their -- I mean, not
based -- but based on their earnings, not their
hours worked.

But the piece that I really want to talk about
tonight is the expanded family definition. So,
yesterday was my papa, his 75th birthday. So, after
leaving here, leaving this building, I went over to
his house and I sat with him for a little while. My
papa has been my, like, personal on-call superhero
my entire life. We have -- like, as a family, we
have been battling and struggling with a new life
with him being -- him aging and him being elderly.
My papa is the only grandfather that I've ever known
on my mother's side and the only father that my mom
has ever known. He grew up in the rural south of
Alabama. He was forced to drop out of school in
fifth grade to work to provide for his family and
himself. And then he worked in the sugar cane
fields of Florida and then migrated to the north to
work in the tobacco fields here. And he went on to
work at Pratt and Whitney, doing some really hard,
manual labor.

And I don't have time to tell you all the full
breadth of his story and how systems impacted his
life. So, we've heard about paid family leave being
a racial justice issue. So, being a black man from
the south, with a limited education, really impacted
his health and his health care. So, now, we are in
a position as a family that we're taking care of
him. And he is struggling with a liver disease that
is basically taking over his body and he has diabetes and a number of other issues. But -- so, that is an important piece in terms of thinking about this as a health care -- a health equity issue. But when we're talking about expanded family definition, a lot of folks don't know that my papa is not my actual biological grandfather.

So, black families, families who come from communities that are disproportionately or disenfranchised over centuries end up creating your own nucleus and end up creating your own unit. I would be -- currently, how FMLA is written, I wouldn't be able to take time to take care of the only grandfather that I had ever known, the person that has been my rock, the person who has come and picked me up from across town when I didn’t have a ride, the person who paid our bills, and who used to come and put oil in our tank at our house when we didn't have heat in the wintertime.

So, I just wanted to talk about my papa because I'm gonna always think his name, think my family's name and the folks who I do this work for, but I really want you all to think about this policy in making sure that we keep an expanded family definition so that people like me can take care of folks who aren't legally binded to us or our biological family.

REP. PORTER (94TH): Thank you, Ms. Walker. Any comments or questions from the committee? Senator Kushner.

SENATOR KUSHNER (24TH): Thank you for bringing that to our attention. I think it's a really great example of why it's important to have the bill as written. And, you know, I appreciate your
testifying to it because I think it's these stories that help us to appreciate how important it is to people. Thank you.

REP. PORTER (94TH): Representative Pheanious.

REP. WILSON-PHEANIOUS (53RD): Actually, I was gonna say essentially the same thing. We all have papas and mamas and aunts in our lives that some, because of a lack of a blood connection, might not be willing to recognize for the importance that they are. And I'm glad that you lifted him up and brought that to us for that reason. Because there are people here who may not understand that type of relationship and may think it's frivolous or may think it's just made up family, when it is sometimes the only and the very realist of family. So, I thank you.

MS. WALKER: Thank you.

REP. PORTER (94TH): Well, I don't need to chime in because they done said that I was gonna say. And I think it's important because that continues to come up and it's an issue for people because some people don't understand those relationships. So, thank you for solidifying that in your testimony tonight. And make sure you tell your papa I said thank you for being able to be used like that.

MS. WALKER: I will.

REP. PORTER (94TH): All right. Have a good night.

MS. WALKER: Thank you everyone.

REP. PORTER (94TH): Next up we have David Woodworth, followed by Chris Herb. Is David here? Chris Herb? Sarah Croucher. Sarah left? Wow. She is very pregnant. She's probably very asleep too
right now. I'm jealous. Edward Hawthorne. Good evening, Edward.

MR. HAWTHORNE: Good evening. My name is Edward A. Hawthorne. I reside in Wolcott, Connecticut. I'm also a proud member of AFSME Local 269, Department of Labor, and the president of the Western Connecticut Central Labor Coalition. I stand in support of Senate Bill 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and House Bill 5033, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

It is an unfortunate reality that in the majority of our state's workforce we lack any access to any form of paid leave to care for an ill family member or a newborn child. Passing paid family and medical leave is essential to maintaining a productive and healthy workforce. No one should be forced to choose between being there for a newborn child, sick family member, and keeping their lights on.

When my first child was born, it was the happiest day of my life. However, it was also one of the scariest and most trying experiences. You'd never know it now, but my daughter spent her first eleven days in the neonatal intensive care unit. During this time, work was the furthest thing from my mind. And I think Representative Porter can tell you too. When your child stops breathing, things change. Fortunately, my wife and I had union jobs and we had some sort of paid leave to support us in our time of need, so we could focus on what truly mattered, our daughter's health. I cannot imagine being prevented from spending every waking moment with her in the ICU because I had to go to work to keep our insurance, pay our mortgage.
No parent should have to choose between being there for their sick child and keeping the lights on. Let's face facts. Those who work in such situations are not productive. Understandably, their heads and hearts are elsewhere. So, why not protect these jobs, provide people with the means to support their family, and prevent costly employee turnover to our business community.

Connecticut is falling behind. We're surrounded by states that have already passed some sort of paid family medical leave. We cannot afford the risk of losing valuable workers to these surrounding states. The time to act is upon us. I urge you to support this program to prevent you and your loved ones from being forced to decide between a job and your family's wellbeing. And I would also add, I urge you to support getting rid of the exemption for state employees, like me, and municipal employees, like my wife, because everyone deserves this program. I'd be happy to answer any questions.

REP. PORTER (94TH): Thank you very much for your testimony, touching indeed. And you already know something that I can relate to. And we have been having that discussion around the exemptions that are currently written into this language. And we are working to make sure that we address that issue. So, we hear you loud and clear and the others that have come before you with those concerns. I'm glad that things worked out for you, as they did for me.

MR. HAWTHORNE: Thank you.

REP. PORTER (94TH): You're welcome. Any comments or questions? Seeing none. Thank you and thank your for hanging in there tonight and sharing that testimony. Up next we have Jessica Ciparelli. And
please forgive me if I butchered your last name and correct me if I did.

MS. CIPARELLI: That's pretty good. Ciparelli.

REP PORTER (94TH): Ciparelli. Good evening, Jessica.

MS. CIPARELLI: Senator Kushner Representative Porter, Representative Hall, and member of the Labor and Public Employees Committee, my name is Jessica Ciparelli and I live in South Windsor. I am here to support S.B. 1 and House Bill 5003.

Two years ago today, February 14, 2017, my mom went into the hospital for what would be her last day. A breast cancer survivor since 2001, her cancer returned in 2014, metastasized to her spine. It was metastatic breast cancer and it was terminal. It caused her to become bedridden, but it never killed her spirit. That Friday while I was work, I received a text message from my sister, who was at the hospital with mom; you probably want to get her sooner than later, she said. I told my boss I needed to leave. I didn’t know when I'd be back in the office.

Mom died March 1st, 2017, after a 16-day stay at UConn Health. She was under hospice care for most of her stay and my siblings and I spent as much as time with her as we could. I was lucky I had an understanding employer who allowed me to use a mixture of sick time and bereavement time during the month I was away from work. My brother, Greg, who was Mom's medical decision maker, used five days of sick leave for parental care under state-granted FMLA, and then vacation time with federal FMLA protection. My brother, Chris, used banked sick
time and emergency days. Angela, my sister, worked on a laptop in the hospital room or from home in the evenings, with the blessing of her employer.

We made it work, each in a different way. But not everyone has this -- these options available to them. Not everyone has understanding employers. No one should have to choose between caring for a sick parent and their job, caring for a new baby and their job, caring for a sick child and their job, taking care of their own health and their job, while worrying about how to pay the bills.

Unfortunately, FMLA doesn't work for most families. Workers are either not eligible or unable to afford unpaid time off provided by the federal act. Rhode Island, New York, Massachusetts and New Jersey have all passed paid leave legislation. Vermont, New Hampshire and, excuse me, and Maine are currently working on legislation. It's time to make CT next. Thank you for your time.

SENATOR KUSHNER (24TH): Thank you, Jessica.

MS. CIPARELLI: I wanted to share. This is my mom. A 35-year teacher in Hartford -- in the Hartford school system.

SENATOR KUSHNER (24TH): Well, I had a very similar experience when my father was struggling with cancer and, you know, my family wanted to be there through the end and we did have that opportunity because we also had employers that allowed us either paid for the time off or allowed us that flexibility. And I know I couldn't have been anywhere else. I have a reputation for working really hard and never taking any time off. But I have to say, that was the one period in my life where I really -- work meant
nothing to me for those days and weeks. And so, I understand what you went through and I agree with you, everyone should have that opportunity to be there with their loved one at the end. So, thank you for sharing that. Any comments or questions from the? Oh, yeah.

REP. WILSON-PHEANIOUS (53RD): Only very quickly to say your mother was very lucky to have you and the siblings you had to devote that kind of time. I know you would've been nowhere else. So, I'm posing this question almost knowing the answer. If it had been a situation where your employer hadn't given you that kind of time, is it likely you would've quit?

REP. WILSON-PHEANIOUS (53RD): A hard thing to answer because you need the salary. You need -- bills still need to be paid. So, I think -- I -- if I had to make a choice and I had to be at work, I wouldn't have been productive.

REP. WILSON-PHEANIOUS (53RD): You certainly wouldn't have been productive and I'm sure the stress would have been terrible. But I know your mother appreciates that effort.

MS. CIPARELLI: I'm lucky.

REP. WILSON-PHEANIOUS (53RD): And she's beautiful.

MS. CIPARELLI: Thank you.

SENATOR KUSHNER (24TH): Thank you. Next we have Samantha Hills.

MS. HILLS: Good evening, Senator Kushner, Representative Porter, Representative Hall, and members of the committee on Labor and Public Employees. My name is Samantha J. Hills and I am a
policy analyst with the Connecticut Association for Human Services, also known as CAHS. CAHS is a statewide, nonprofit agency that works to reduce poverty and promote economic success through policy and program initiatives. I am here to support S.B. 1, AN ACT CONCERNING PAID FAMILY AND MEDICAL LEAVE, and H.B. 5003, AN ACT IMPLEMENTING A PAID FAMILY AND MEDICAL LEAVE PROGRAM.

The lack of paid family leave leads to disparities among Connecticut families. Paid family and medical leave is sometimes offered as a benefit by employers, yet because it is dependent on workplace policy, it is offered with more frequency to higher earners and leaves the people who need it most vulnerable to losing the shred of economic security they might have if they or a family member becomes ill. Only six percent of low-wage workers have access to any form of paid family leave, and those who have access to it cannot afford to take it. This places in an impossible situation, to have to choose between a family or a job.

These issues are compounded when we acknowledge that the inequality also runs across racial and ethnic lines. Lack of paid leave disproportionately impact employees of color, who are overrepresented in low-wage jobs, and they may have few to no resources to fall back on if they become ill or they must care for a sick family member.

The absence of a comprehensive paid family and medical leave also impacts women, although women are often the primary caregivers in Connecticut. Eighty-one percent of black mothers, 66 percent of Latino mothers, and 48 percent of white mothers are also key family bread winners by providing the sole
income in a single-parent household or more than 40 percent of income in a two-parent household.

Several states have already implemented this type of legislation. We will soon be the only state in New England with no paid family leave and it will be hard to be considered a progressive leader or to attract a talented workforce in a competitive environment.

Between 75 percent and 85 percent of claims made in states that have passed this legislation are to care for a new child. Paid leave gives parents time to establish a strong bond with a new child during the first months of life and results in long-term health benefits for both children and parents. And the ability of new mothers and fathers to receive paid family leave reduces dependents on SNAP and other welfare benefits. In addition, in California, where paid family legislation was passed in 2004, while all businesses report positive effects or no effects, among the businesses with 50 or fewer employees, the results are even more favorable. Business owners report that paid family leave reduces turnover costs and improves profitability, productivity, retention and employee morale.

Passing paid family leave in Connecticut would allow small businesses to better compete and attract qualified workers by providing comparable benefits to large companies. It would strengthen our workforce by making it more productive and reducing staff turnover. Paid family and medical leave will not only attract more workers to stay in Connecticut, but will create a sustaining environment in which future generations will stay and contribute to the prosperity of our state.
The benefits of passing paid family leave far surpass the small cost to employees. The choice is simple. A state that values family, health, a strong workforce, a thriving economy, healthy businesses, including the ability for small business to compete, greater equity for women, people of color and low-income workers. It is time for Connecticut to pass this important legislation to continue 21st century progress. I thank you for your time and the opportunity to be heard.

SENATOR KUSHNER (24TH): Thank you very much. Is there any comment or question from the committee? Well, thank you for being here and thank you for staying late and sharing that.

MS. HILLS: Thank you for staying late. I appreciate you very much.


MS. FARRELL: Good evening everybody. Thank you for staying late and for holding this hearing. My name is Lindsey Farrell. I'm the state director of the Working Families Party of Connecticut. I also want to thank the committee staff for their dedication tonight and during this long hearing.

There have been a couple dozen folks who have made a more compelling case for paid leave than I think can do at this late hour. So, I'm gonna leave it — leave it in their hands. But I do want to touch upon some of the policy proposals that we are supporting along with the campaign for paid family leave. I want to commend the co-chairs and the committee on the initial draft, which is very, very
strong. So, we would just like to emphasize the importance of complete wage replacement for low-wage workers, an inclusive definition of family, the need for all employees to have full job protection during their leave, the need for a benefit to be portable from job to job, enough time for the needs that are covered in the bill, which are ranging from recovering from domestic violence to caring for an injured service member, to, of course, caring for yourself or your family or a new baby.

And we would -- we strongly urge that the committee keep the proposal publicly run. And, you know, at this late hour, I think I'll just say at this point I'll answer questions if there are any.

SENATOR KUSHNER (24TH): Any questions?

REP. WILSON-PHEANIOUS (53RD): Yes. This bill calls for complete wage replacement -- 100 percent wage replacement, and I know that that is different than it is in other states. Can you tell me some of the -- I've heard people, perhaps, that don't know all of what they're talking about say that that will lead to people just taking 12 weeks of vacation time or something along those lines. Can you talk to me about what has been learned about the length of time people have actually used paid family leave and why what I just suggested is not true?

MS. FARRELL: Sure. So, thank you for the question. Since Connecticut will not be one of the first states, but, you know, probably at least the seventh or eighth state to do this, we have the benefit of the experiences from the states that have done this for some time. What they have discovered in the initial three states, in Rhode Island and California and New Jersey, is that the lower percentage of wage
replacement was really inadequate for low-wage workers. And in California and New Jersey, they've already gone back and raised that so that the program is more accommodating of low-wage workers. You know, we feel that the proposal here is a fairer system. It makes low-wage workers hold because they can the least afford any cut to their wages. We make up for that by, frankly, asking wealthier workers to receive less.

REP. WILSON-PHEANIOUS (53RD): But the point I was getting at or what I was wondering about is why -- if you're going to replace 100 percent of somebody's wages, it seems like it might be very tempting for people just to take the time. And I'm wondering to what extent they found that happens or doesn't happen.

MS. FARRELL: We know in California that it's less than one-half of one percent is what they've determined to be fraudulent claims paid out. In Rhode Island, it's .4 of one percent. So, this is definitely not a rampant problem. You know, there are reasons that are indicated for the use of the program and you -- you know, when the regulatory process happens and the Department of Labor sets this up, they're going to have metrics and expectations for how the program will be used and you'll have to meet those. So, you don't get to use it for vacation.

REP. WILSON-PHEANIOUS (53RD): Thank you. I know that, but I wanted to hear it from you. Thank you.

SENATOR KUSHNER (24TH): Thank you for addressing the issue of abuse, because I know that has come up here before and I have heard those figures mentioned as well about Rhode Island and California. I think
there also is some -- there is some belief that people will use this benefit every year for 12 weeks and that -- it goes to the heart of the question that Representative Pheanious-Wilson raised as well. But do you know what the common usage is in any of those states? Are there figures on that?

MS. FARRELL: I don't know -- I don't know the number of uses. You know, here in the City of Hartford, I think we all know how insurance works and that people don't use the full benefit that they are entitled to every time that they're entitled. You know, I don't crash my car every year just because I have to pay for car insurance. But I know that the -- in an actuarial study that was published in 2016, the estimates of how many people would use it, which I think was somewhere in the range of 60-something-thousand to 110,000 uses per year, that was extrapolated from the proportional use in the other states where it's happening now.

SENATOR KUSHNER (24TH): You know, that also leads me to -- I know that you've been following this issue very closely and have been working on the issue for along time and. Could you talk a little bit about the way the formula came up in terms of -- there have been questions about whether or not the fund will be solvent.

MS. FARRELL: Sure. And I assure you my organization cares very, very deeply that this program work for the people who are paying into it. That's very important to us. So, there was funding put into the 2015 state budget for a study to be commissioned to do the actuarial calculations and to look at the best practices and the experiences of the other states where the program was already up
and running. And so, the formula of that one-half of one percent payroll deduction based on a benefit of up to $1,000 dollars a week, up to 12 weeks, that came from actuarial experts and policy experts who have been looking at the program in other states.

It's not a hunch. It's people who spent months on the phone with state agencies, the Department of Labor and DAS and the Governor's Office, and other public servants, to make sure that they understood the context here in Connecticut and that they were making a very educated guess on how that would work. So, you know, we believe that the math there is strong. You know, as we fine tune the language in the legislation, I think, you know, we'll want to also refer to their expertise and also the expertise of the folks who make those calculations here as well. But it's, you know, it's not imagined. It's not made up. It's calculated by actuarial experts.

SENATOR KUSHNER (24TH): And wouldn't that be the same way that other benefits are calculated in other actuarial studies that are done in order to determine what's necessary to provide benefits, like insurance companies and.

MS. FARRELL: Yes. I was in a meeting -- I was in a meeting earlier today with an insurance company who was trying to figure out if they were going to be able to add what they're calling a, "top off," meaning if the employer wants to provide a more generous benefit than what the program provides or if they were going to -- they were advocating for a private option for employers to choose, which is, in my testimony, not something that we would advocate for. But they were talking about how they believed that the program was solvent and that it would work.
And, you know, they are the insurance industry. They would know best.

SENATOR KUSHNER (24TH): So, I know that some insurance companies provide those kinds of benefits to other companies and there's been some questions about whether or not they would be able to continue to do that. Can you speak about that a little bit?

MS. FARRELL: I'm sorry. Could you repeat that?

SENATOR KUSHNER (24TH): So, insurance companies provide a benefit like to some employers. I might not have said that very clearly, because it is 10 o'clock. But there's been some concern that insurance companies would not get the business anymore because it would be done through this fund. Have you heard about that or what do you think about that?

MS. FARRELL: I mean, we're all in this room today because the private marketplace has failed to solve this problem. So, I imagine that for more generous employers, for wealthier corporations that have a very large workforce and make -- have the ability to make this a priority, there would still be a marketplace for those kinds of products. This sets a floor, just like minimum wage, just like paid sick days, just like any of the programs that we set to create a standard so that people have a basic protection when they need it most.

SENATOR KUSHNER (24TH): So, I'm thinking that an employer who has some high-paid workers who they're already providing this benefit to, wage replacement to, they might actually have experienced a savings because now the first $1,000 dollars would be provided through this insurance fund. So, I would
imagine they would have the opportunity to offer another benefit or supplement the $1,000 dollar benefit that the state would be providing.

MS. FARRELL: Despite the rhetoric we have heard from some of the business lobbyists about this being a one-size-fit-all solution, it really isn't. The businesses can decide what they want to do with that. They can add -- they can provide an additional benefit. They could give their employees a raise. They could put it into some kind of savings account. They could -- they can treat the situation how they want. They could pocket it and keep it as profit if they wanted to I guess.

SENATOR KUSHNER (24TH): Other questions from committee members? Representative Hall.

REP. HALL (7TH): Yes. Good evening and thanks for staying so late.

MS. FARRELL: Likewise.

REP. HALL (7TH): A question with regard to other states and how they treat their state municipal public sector workers, because the language in this bill exempts those workers. And how do other states, specifically California, -- I'm tired. (Laughter) Rhode Island and whatever the other state was, how do they treat their public sector?

MS. FARRELL: I apologize. I am not certain. I believe that they are in the legislation. You know, my understanding is that they are -- that that language in our bill came because there was basically a deficit of trust between our public employee union and the decision makers, or some of the decision makers, in this building, and they did want to set a precedent of having their benefits
taken -- given or taken away by the people in this building, given the constant attacks on their pension and their health care. You know, they've been scapegoated for years and blamed for the problems of the state. And so, they would like to make sure that collective bargaining rates are respected. What I do know is that many of those unions plan on trying to get this into their contracts even if it's not legislated already.

REP. HALL (7TH): So, just - just so I understand and maybe the chairs, maybe you can help me out. So, they were exempted from paying the 0.5 percent as well.

MS. FARRELL: What we as advocates would recommend, and I believe this bill does that, is anybody who is paying into the fund is entitled to the fund and to the job protection. Anybody who is entitled to that protection and to the benefit does not pay in.

REP. HALL (7TH): Okay. Thank you.

SENATOR KUSHNER (24TH): And that is my reading of the bill as well. And I do, you know, want to emphasize that. And out of respect for the collective bargaining process, there is language in this bill that would allow public sector workers to bargain it into their contract when their contracts come up. Also, having had some experience in bargaining, if an employer and a union wish to engage in bargaining during the life of that agreement, they can narrowly limit the scope of bargaining and open negotiations for that purpose. So, I don't think they would even necessarily have to wait, as long as it was mutually agreed to, so. I see Representative Winkler.
REP. WINKLER (56TH): Yes, a statement, really. As a 38-year-old state employee, the SEBAC agreement provides for two weeks of paid leave currently for state employees. Yes, some of them would like to buy their way into this program, no question about it. Yes, a certain lack of faith did play into it. And there's a possibility that somebody out there will decide not to join for reasons of their own. But in bargaining, state employees already gave up something to get this benefit. Thank you.

SENATOR KUSHNER (24TH): Other questions from committee members? Representative Porter.

REP. PORTER (94TH): Thank you for your testimony and thank you for hanging in there with us tonight, because you've been here all day long. And I came in midway, almost as you were completing your testimony, so please forgive me if the question has already been asked. But I was just wondering if you could speak to how would allowing private participation in this program impact the delivery of the program, the insurance, the benefit.

MS. FARRELL: You meant it to -- to outsource the delivery of the benefit to everyone or for there to be an opt-out for private?

REP. PORTER (94TH): No. We hear a lot of, you know, and it was mentioned earlier, the suggestion that, you know, DOL would be handling it and maybe we could allow private industries to take part in this. So, I would just like for you to speak to, you know, how that would impact the delivery to the people who would be receiving the benefit.

MS. FARRELL: Sure. Well, we don't entirely know. One of the general principles in insurance is that
economies of scale make everybody -- it makes the product -- apologies. It's also 10 o'clock at night for me too. We know in insurances that economies of scale, when the pool is larger, that reduces the risk and the cost for everyone. So, if we do take out employers to buy their own private product, then, you know, the program that is left for the rest of us has those folks out of it and so, you know, that may have an impact on the cost for everybody else. The other questions surrounding that are, you know, can we make sure that there's portability. If somebody works at an employer that provides this privately and then they -- you know, then they're there and they've been working for years and then they go to another job, are they starting from scratch before they're vested in the program. And I -- the other issue is just enforcement, you know, and making sure that the private insurance company is actually delivering the benefit when they should be and is the -- you know, is the process for making sure that happens too cumbersome for the people who need the benefit.

REP. PORTER (94TH): So, it would actually leave a lot of questions unanswered and leave us in a pretty unsure position as far as the quality and effectiveness of the delivery of the services we're trying to render to the workers in the State of Connecticut. Is that correct?

MS. FARRELL: Yes. At this point we don't know how it would impact this model.

REP. PORTER (94TH): All right. Well, thank you so much and thank you for your testimony tonight.

MS. FARRELL: Thank you.
REP. PORTER (94TH): And thank you for all the work you've put into helping us craft this bill and making sure that we get it right and making it the best bill that's on the market in the United States. So, thank you so much, Lindsey.

MS. FARRELL: Thank you. Well, thank you for your leadership on this.

REP. PORTER (94TH): You're welcome.

SENATOR KUSHNER (24TH): No other questions. Thank you so much. Next up we have Sarah Locke.

REP. PORTER (94TH): Good evening, Sarah, hailing all the way from New Haven.

MS. LOCKE: Good evening. Good very late evening. I'm Sarah Locke from New Haven, Connecticut, and I'm here in support of S.B. 1 and H.B. 5003. I have six paragraphs and highlights and notes, and I'm not gonna read any of this. I'm just gonna talk to you guys for a couple minutes about this story, because you all have the emails already.

Right after my 28th birthday, I found out that I had cancer and I did what anyone would do, I called my mom. I said what do we do? And she didn't know. But not knowing what to do doesn't matter when you're sick. I had a waitressing job at the time that I had to quit. And my mom was a realtor, so she stopped taking clients, and we went through the couple of months it took for my surgery, my treatment, and my recovery. I, you know, got a full recovery. I also had mounting medical debt and my mom ended up with a lot of debt because she couldn't work for those many months.
I'm almost 40 now, healthy, cancer free. I also don't fall into any definition of a nuclear family. I am queer. I am unmarried, but not alone. I have chosen family all around me and we have no biological or legal ties, but we would all do for each other what my mother did for me, paid or unpaid. But I think too often, in queer communities especially, we have to make these unmanageable and impossible choices between sickness and mounting debt. And I know you're all as concerned as I am about the vitality of every person in our state, especially communities that include queer people, people of color, and women, who are most affected by our state's lack of paid leave.

We need more than just access in order to survive. We need your advocacy and your full support so that we can thrive. So, I would just like to say that I strongly support the passage of these bills for the prosperity of our state and our workers. And I want to thank you guys for the really, really hard jobs that you do here.

REP. PORTER (94TH): You're welcome and thank you. Any comments or questions? Well, thank you, and I'd just like to say that I'm happy that you made it through your cancer bout. I never knew that story. So, that's something I learned tonight. And thank you again for your patience and hanging out with us.

MS. LOCKE: You too. Thank you.

REP. PORTER (94TH): You're welcome. Monica Belyea? Here she comes. Hope I didn't butcher your last name. Yay. And after Monica, we have Carol Williams. Good evening.
MS. BELYEUA: Good evening. Thank you for allowing me this opportunity. Members of the Labor and Public Employees Committee, I'm here in support of Senate Bill 1 and House Bill 5003, paid family and medical leave. My name is Monica Belyea and I'm a constituent of Senate Lesser's, Middletown. I've been a public health and nutrition professional living and working here in Connecticut since 1995.

So, you can read my full comments. I'd just like to share a brief bit of my own story and a couple of points. When I was pregnant with my second daughter I opted to leave my job and take on consulting works so that I could work fewer hours and be home more with my new baby. I'm lucky I have a partner with job security and we were able to cut back and make ends meet. The ramifications of that decision on my lifetime earning potential and my family's long-term financial situation are real. We'll be fine. I might just have to retire a little later. That's okay. But my concern is for families who don't have options and must return to work before they're ready or incur significant debt.

The vast majority of caregivers are women. The need to take time off for caregiving is a major contributor to the gender wage gap. That's another bill I believe is being raised by this committee. Going to work two weeks after your baby is born is exhausting physically and emotionally. And for black women, who already bear the burden of high rates of maternal death, it can be life threatening. It's also challenging for that newborn infant. During the first six weeks of life, she develops secure attach -- yeah. During the first six weeks of an infant's life, she develops secure attachments, learning to trust that her needs will
be met, developing communication skills, and starting to learn how to regulate her states. This time period is also crucial in the development of obesity.

I strongly support Senate Bill 1 and I hope the committee and Connecticut lawmakers will finally vote favorably this year to make paid family and medical leave a reality.

If I may, I'd also like to say a word about House Bill 7043? That's the breastfeeding in the workplace bill. I've been an advocate for employee lactation support programs and I regularly field calls from both employers and women regarding their challenges with breastfeeding in the workplace. Some industries like restaurants, convenience stores and retail may not be able to allocate space to a designated lactation room; however, they might easily be able to work out a schedule for a nondesignated space, like a manager's office or a break room, provided that it can be secured. Encouraging space rather than a room may make the language more inclusive. Second, flexible break time is really important. Pumping can't always wait until a teacher's prep period or a shift worker's lunch break. The federal law requires employers to provide flexible break time to hourly workers if they have 50 or more employees. Connecticut's law does not require break time unless the employer already provides it and it does not require flexibility.

REP. PORTER (94TH): Thank you.

MS. BELYEA: Okay. So, the other thing -- the last thing I want to say is women who have to go back to
work after two weeks can't establish breastfeeding. So, paid leave also supports breastfeeding.

REP. PORTER (94TH): Thank you and thank you for your testimony. Next up we have Dr. Gerald Calnen, C-A-L-N-E-N. Dr. Calnen. Beverly Brakeman. Did she leave? She's gone. Making our way, last page. Number 56, Patrick Commerford. Good evening, Patrick.

MR. COMMERFORD: Good evening.

REP. PORTER (94TH): How are you?

MR. COMMERFORD: Good. A little sleepy, but I imagine you're right there with me.

REP. PORTER (94TH): Yes, I am. You have the floor.

MR. COMMERFORD: Well, members of the committee, I appreciate your time tonight. I'm here to testify in support of S.B. 1 and H.B. 5003. You know that they'll create and implement a comprehensive, statewide system of paid family and medical leave for workers. In particular, I want to advocate for the inclusive definition of family.

Lack of access to paid family and medical leave leaves many marginalized communities, in particular, without access to the support and safety network that they rely on. When I came out as queer, I was unsure of how my biological family would react. For a long time, I felt like I wasn't able to rely on my family and many of my primary relationships were strained or broken because I was queer. My chosen family became crucial to my wellbeing and I relied on them for both emotional and sometimes financial support.
Paid family medical leave is undeniably a queer issue. According to the Center for American Progress, 42 percent of LGBTQ people say they've needed to take time off work to care for a chosen family member, compared to 31 percent of non-LGBTQ people. Today, at the age of 37, I am not married. I don't have children. And research shows that I am not alone in this and that LGBTQ adults are significantly more likely to be childless and living without a partner than non-LGBTQ older adults. So many in our community come to depend on the strong relationships we make with chosen family, particularly later in life. And the reality is that we will need care and we will need to rely on one another when that time comes. Without inclusive paid family and medical leave, many in our communities who are already struggling and living at the margins will continue to be forced to choose between their jobs and caring for the people they love and their families, biological or chosen.

In the past five years, more than 35 local and state paid sick time laws have been passed in the United States and Connecticut has a chance to join in on that by passing paid family and medical leave. I urge the committee and Connecticut lawmakers to support S.B. 1 and H.B. 5003 as written with the inclusive definition of family and help Connecticut remain economically competitive, give all workers in our state the support that they deserve, and give folks living on the margins the support that they deserve and allow them to be able to show up for another. And I thank you all for your time on this very late evening.

REP. PORTER (94TH): We thank you as well. Any comments or questions? Seeing none. Thank you
again. Have a great night. Next up we have Bernard Kokinchak. After Bernard will be Susan Eastwood. Good evening, Bernard.

MR. KOKINCHAK: Thank you, Representative Porter, Senator Kushner, and distinguished members of the committee. I'm about to give CTN a slight jolt because I'm gonna talk about Senate Bill 765. So, now they get to change to the lower third. Actually, what really brings me here is Senate Bill 65 is -- really needs to be expanded tremendously from its current one sentence. The reason why I came back -- I had testified on this subject a year ago. And because, one, pay equity is a problem in this state just in general.

The problem is is that it's not only a moral issue; it's a fiscal issue for the state. According to an American Institute research study in 2014, Connecticut lost over $112 million dollars in income tax revenue from pay discrepancies between individuals with disabilities and their nondisability counterparts. The one I like to use the most is if you have a master's degree and you are in the same position as a nondisabled colleague, you are going to typically make about $36,000 dollars less. Now, I provided a chart in my written testimony last year and again this year of the same exact chart. Numbers don't lie.

That's the reason why I've proposed a -- changing the enforcement from private law suits to into the attorney general's office and being criminal in nature. Because it is not only harming the individuals, but is also harming the state, which is also harming society. I would also like to go on to mention that this is attacking the tax code and how
taxes are implemented in his state and how they should be fairly paid. This is not unlike -- excuse me. The more -- a 1974 case that Ruth Bader Ginsburg argued on the basis of sex, because the person couldn't take a deduction because they were male, never married, and were trying to take a caregiver deduction.

And I listened to tonight the stories of many different people. But I believe if you're looking for ways to solve the budget, state fiscal crisis, this bill provides the means and the answers to a lot of things. Yes, employers will probably not like the fact that they would be scrutinized. But at the end of the day, it's the right thing for everybody in society to be paid and fair equitably. And it's the right thing because it helps everybody. And if that's the case, if everybody is getting paid more, they don't need necessarily more state benefits. Then they have more of the money to spend, which means it increases your income tax -- not income tax revenue. Any of your sales tax revenue.

Personally, I do not understand why this has not been a more urgent matter for the legislature. If I were you -- or if I was the committee, I would also suggest improvements to the Bureau of Rehabilitation Services. That I believe -- which is for the blind. I receive services from them and they're not exactly the most fastest-acting agencies. Because the RSA Grant which is provided by the federal government has been cut significantly and there's really no state tax dollars being expended on those two agencies.
REP. PORTER (94TH): Thank you, Bernard. Any comments or questions for Bernard? Nope. Seeing none. I just want to say thank you for hanging in there. You've been here all day as well and we do appreciate you taking the time to be here this evening to testify on the issue.

MR. KOKINCHAK: Yes. Yeah, I went to work and then came here. Been up since four.

REP. PORTER (94TH): Thank you. Senator Kushner.

SENATOR KUSHNER (24TH): Yeah, I just want to thank you as well and let you know that, you know, there's been a lot of conversation tonight about paid family leave and, you know, it's a critically important issue for all of us. But I appreciate you staying here and presenting your testimony on pay equity. It's also extremely important. Thank you.

MR. KOKINCHAK: I believe the two go hand in hand at some level. Like I said, you talk about solvency of the fund. I provide a solution to get you money.

REP. PORTER (94TH): Thank you, Bernard. Have a good night.

MR. KOKINCHAK: Thank you.


MR. CABRERA: Good evening. Good evening, Senator Kushner and Representative Porter, ladies and gentlemen of the committee. My name is Jorge Cabrera and I live in Hamden, Connecticut. I'm a union representative for Local 919 in Farmington, Connecticut, where I represent over 7,000 private sector workers, primarily a stop and shop.
I want to share with you a little of my experience with paid family leave. In 2003, my wife and I decided to have a family. And after a miscarriage and over a year of trying to have children, we were blessed with the news that my wife was pregnant with twin boys and we were elated. I want to share a little bit of my experience, because our boys were born prematurely. And what happened to us opened my eyes to paid family leave and how important it is for workers and for families. And that's why I'm here today in support of S.B. 1.

I wondered around the white, unusual-smelling room on the fourth floor, wondering what had just happened. One moment I was holding my wife's hand, trying to be a pillar of calm and reassurance, but secretly filled with a bubbling uncertainty that I prayed would not show up on my face. The next moment, she was gone. I wondered where they had taken her and why I couldn't go, because she needed me. I promised to be there for her. I made a commitment. It was public knowledge. There were photos to prove it and witnesses. My heart filled with fear and uncertainty. What do I do now? I paced aimlessly around the room that was now suddenly empty of all the white lab coats. Wait here, the nurse ringed in a commanding tone.

Unrecognizable fluids and aseptic bandages were strewn all over the white floor and the room was gripped with an abrupt silence that stood in stark contrast to the recent onslaught of alarm bells and people were shouting and running in and out of the room just a few moments ago. I was suddenly all alone. Where was she? Are they okay? What is going on? I grasped for answers but none came. Finally, someone came in and handed me a blue gown.
Put this on and come with me. Bewildered, I dressed quickly and followed the masked woman down a long hallway. As we approached a set of double doors, we stopped abruptly and her hand went up, stop, wait here. My heart raced. Suddenly they wheeled her out and a sea of relief washed over me. I grabbed her hand and said nothing as tears filled my eyes.

I followed beside her. She was wheeled into another bland, white room nearby. "Where are they?" she asked. I could mutter -- all I could mutter was it's gonna be okay in a tone that portrayed my usual confidence. Even in the haze of medication she sensed my uncertainty. After 11 years, you get to know someone and see through their words, and she saw me clearly, and I avoided another round of uncomfortable questions only because she slipped back into unconsciousness. Miraculously, after what seemed like an eternity, she slowly regained her strength and the room began to fill with family and doctors. She was okay. They were okay for now.

Relief mixed with a fragile hope filled the room. Against doctors' orders, I wheeled her into the intensive care unit so she could see them. They were in these little plastic incubators and wore little blue hats barely the size of a small orange. The sound of heart monitors filled the room as white coats milled around checking charts and conferring with each other. Half smiling through tears, a strange peace began to fill out hearts. We had survived.

My boys were in the hospital for ten weeks. And during that time, I didn't know what we were gonna do. I had never about family leave. I had never grasped what it would be to be a parent. But we
were lucky. My wife was a public school teacher. I worked for a union. And we were able to take quite a bit of time off for ten weeks in the hospital, visiting them daily. She was able to be there every single day and I was able to be there for her and be there for them. This is personal, but it's also long overdue. I don't have to repeat what was said here tonight. We're way behind. Lots of countries we're behind, states that surround us. I was lucky. But there's thousands and thousands of Connecticut residents that aren't. They need our help.

Paid family leave was great for me. It was good for my family. It'll be good for all Connecticut residents. I urge its adoption.

REP. PORTER (94TH): Thank you, Mr. Cabrera, and thank you for that touching testimony. Any comments or questions for Mr. Cabrera? Seeing none. I would just say thank you again and thank you for sharing that story. And thank you for your patience.

MR. CABRERA: Thank you.


MR. MORENO: Good evening. [Inaudible - 08:24:11]. Como estas?

REP. PORTER (94TH): Bien. Tu?

MR. MORENO: Bien. Gracias. I want to thank everybody for being here today and sticking it out to such a late hour this evening. My name is Carlos
Moreno. I'm the state director for the Connecticut Working Families Organization. Thank you for holding this hearing today and for giving us the opportunity to speak in favor both paid family and medical leave bills, S.B. 1 and H.B. 5003.

I think -- you know, for year -- well, what I'd like to do today is, you know, for years we've talked about the data and we've made various arguments from various perspectives about how this policy would be economically sound for Connecticut. And much of that data has from the small business community, and much of those concerns have also come from the community. I don't want to do that tonight. I'd like to set that aside and actually do something that I haven't really done before, which is talk about why I believe in this policy as a farther. So, I'm gonna share my personal story, even though I'm kind of reluctant to do that.

But a little over six years ago, my wife, Courtney and I welcomed our first baby. Her name is Montana. My wife didn't have access to paid leave or qualify for coverage under the FMLA Act which was passed in 1993; which was a landmark piece of legislation for its time, but one that sorely needs to be updated. As you know, it leaves out about 41 percent of America's workforce and it also leaves out 59 percent of Connecticut's workforce. Although, to make matters more difficult, I was in the process of switching jobs during my wife's pregnancy, so I couldn't even qualify for FMLA upon taking a new job, which, in effect, amounted to a penalty for trying to advance your own career.

As I was planning a transition to a new job, I considered purchasing a short-term disability plan,
but quickly found that there were no accessible or affordable plans that provided the level of coverage that met the needs of my family. I found that STDI plans were generally not worth it. They were too expensive. The coverage periods were too short, and they only covered between 50 percent and 80 percent of income, which was just too unrealistic for me. Purchasing a plan just wasn't feasible for us.

So, fortunately, I found a job with a new employer, and it was actually Planned Parenthood Federation of America at the time, which actually provided paid family and medical leave to its employees, which is a program that I actually never had working in the private sector or never had access to. Without paid leave, I would -- I would've not -- I could not have afforded to take any time off of work. Quite honestly, we would've gone broke. My wife had a difficult pregnancy requiring a high level of care. We were already struggling to keep up with bills at the time and there was a lot of uncertainty about our future.

But the paid time off that I was able to take as an employee of Planned Parenthood kept us financially stable and it actually freed me to become a better partner to my wife, helped me to bond with my newborn daughter, which is an experience I'll forever cherish and I credit specifically to having been able to take paid leave, and it brought us together closer as a family, and had the added benefit of keeping my career on track and keeping it moving forward.

I was fortunate. Many fathers are not. Most fathers have to cobble together vacation time or sick days when their children are born or forego
taking leave entirely to avoid losing income. And for workplaces that do offer some form of paid leave, the stigma that's associated with it prevents fathers from taking it because it can be considered a back track on your career.

For a person like me, trying to advance my career at the same time as starting a new family would have been impossible without paid leave. As committed paid leave advocates, Planned Parenthood strongly encouraged that new fathers take time off for the birth of a child. But that's not the case for most of our workforce. And for workers who do have access to paid leave are generally more affluent, higher-income workers who don't need it, or have less need it for it, I should say. Plans are uneven for women and men, if men have any access at all. And that's the problem.

Providing a paid family and medical leave insurance program should not be left up to the generosity of an employer to determine which employees deserve it or what kind of coverage they should get. If you're a person of color, a low-income earner, or among the working poor, it's pretty certain you're never gonna have access to paid leave. Frankly, the private market has failed to provide a comprehensive paid leave program, especially one that distributes benefits equitably. And that is why it is critical that a real and comprehensive paid leave program in Connecticut is publicly administered, rooted in equity, and prioritized as a need of middle class and working poor residents, especially communities of color, who are most impacted, but what I consider to be Connecticut's real revenue problem, which is our income inequality crisis.
It's time to give the majority of Connecticut's workforce a better change at achieving financial security and prosperity. And that's exactly what paid leave did for me and it was there for me -- it was there for me when my family needed it. And if we truly believe that working families are central to economic growth, then passing paid leave is a critical step in that direction. Thank you.

REP. PORTER (94TH): Thank you and thank you for zooming through that. We appreciate it. I heard every word, but I do appreciate the speed in which you delivered that. Senator Kushner.

SENATOR KUSHNER (24TH): So, it's great to hear from you, from your own personal experience with this and it's also good to hear about the experience of fathers, and, you know, sometimes that gets overlooked. And I was thinking while you were talking about what would've happened if you hadn't had paid leave and how it would have impacted your career and, you know, obviously, I'm sure it's known to you that that's a very real problem that most women face when they're young and having children and in the workforce. It, you know, unfortunately, has hindered careers in too many cases. And so, you know, I think paid family leave isn't gonna solve all the problems, but it certainly will address some of the most serious issues that confront us. And so, thank you for bringing that up in your testimony and it's something that I think we need to be cognizant of.

MR. MORENO: Thank you so much.

REP. PORTER (94TH): She hit on my note I had here. I know you didn't. Yes, Representative Polletta.
REP. POLLETTA (68TH): Sir, thank you. Thank you, sir, for your testimony. And I think that this evening we had a lot of testimony brought to light and a lot of facts. I mean, I'm new, relatively new, to the legislature the last two years. But I think that it was a good education hearing from different families and different individuals who feel so passionately about this subject. I'm not sure that we all agree on everything that was said, but I think it's a great conversation to have. And while, you know, we were here for almost nine hours, I certainly take everything that was said and I'm gonna store it in the back of my mind and think about it, digest it over the weekend, and certainly be back with more questions. But everybody that was here today, especially those that stuck around, thank you, and certainly know that I listened as best I could to each person. And it was a great education tonight. Thank you. And thank you for you both for being so cordial with us.

REP. PORTER (94TH): You're very welcome, Representative Polletta. And I would also say thank you to you as well. And just thank you for making that point, because it actually contradicted some of the testimony earlier, when you stated that, you know, it helped to actually keep your career on path and on track and advance you. When others had stated earlier that it would do just the opposite if this benefit were to go in effect. And I think, you know, sometimes we prefer data over anecdotal, but I think experience is the best teacher. And I take very seriously the experience that you shared with us tonight from a father's perspective. And I'm also happy that your daughter had that time to share with you.
MR. MORENO: Thank you. My family is very proud.

REP. PORTER (94TH): Thank you.

MR. MORENO: Thank you. I really appreciate your time tonight and thank you all for sticking it out.

REP. PORTER (94TH): You're welcome. Have a good night. And of course, I must ask if there is anyone in the room that has not testified tonight and would like to do so? You got three seconds. I'm just kidding. Going once, going twice. All right. Well, it looks like there's no one left to testify, so we will adjourn this public hearing.