

Labor and Public Employees Committee

JOINT FAVORABLE REPORT

Bill No.: SB-12

Title: AN ACT MODERNIZING THE PAID SICK DAYS STATUTES.

Vote Date: 3/21/2024

Vote Action: Joint Favorable Substitute

PH Date: 2/22/2024

File No.:

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SPONSORS OF BILL:

Labor and Public Employees Committee

REASONS FOR BILL:

This bill seeks to expand paid sick leave to all employees of companies with more than 1 employee. This bill prioritizes the health of all employees and ensures their financial stability is consistent for 5 working days (40 hours). It is believed that having access to paid sick leave enables employees to prioritize their health without fear of missing a day's pay.

The substitute language expands the definition of "family" to be more inclusive of all family structures.

RESPONSE FROM ADMINISTRATION/AGENCY:

Danté Bartolomeo, Commissioner, Department of Labor: Commissioner Bartolomeo submitted testimony in support of this legislation. In her testimony, Commissioner Bartolomeo notes that similar to Governor Lamont, she and the Department of Labor also support expanding Connecticut's Paid Sick Days Statutes. Commissioner Bartolomeo also notes the differences in language between SB 12, SB 7, and HB 5166 which all address paid sick days, and argues that all three of these proposals are "worthy" of further discussion.

Ned Lamont, Governor, State of Connecticut: Governor Lamont submitted testimony in support of this legislation. In his testimony, Governor Lamont argues that this legislation seeks to expand paid sick days to employers with more than 1 employee and it expands the definition of family to include parents and domestic partners. He argues this is important because workers in the state are forced to sacrifice a day's wage and potentially risk their employment because they or a family member is sick. He notes that with this legislation employers can require reasonable documentation requirements and empowers employers to

take disciplinary action when paid sick leave is misused. He also notes that the state was one of the first states in the nation to adopt paid sick leave protections but has since fallen behind which is why this legislation is necessary.

Erin Choquette, CEO, CT Paid Leave Authority: Mrs. Choquette submitted testimony in support of this legislation. In her testimony, she argues that expanding covered employees under existing paid sick leave statutes will ensure employees have consistent financial security that isn't jeopardized by an illness. She notes that because employees have access to paid sick leave, fewer employees will go to work sick. She argues that when fewer employees go to work sick, they protect customers, and keep their coworkers healthy and able to work.

NATURE AND SOURCES OF SUPPORT:

John Brady, Vice President, American Federation of Teacher Connecticut: Mr. Brady submitted testimony in support of this legislation. In his testimony, Mr. Brady argues that employees should have access to paid sick leave, regardless of the size of the company they work for or the field in which they work. However, Mr. Brady also noted concern about this legislation not including rail workers as protected employees, he encourages the committee to consider language changes that were present in Mr. Hawthorne's testimony.

John Cattelan, Vice President of Government Relations, Connecticut Alliance of YMCAs: Mr. Cattelan submitted testimony with hesitant support of this legislation. In his testimony, Mr. Cattelan noted concern about the cost of removing exemptions under existing paid sick days statutes. However, he notes the Connecticut Alliance of YMCAs prioritizes the safety and health of its staff and members. Mr. Cattelan notes support for provisions in HB 5166, which would enable employees to access paid sick leave after 180 days of employment. He also encourages the committee to maintain existing law where employees earn 1 hour of paid sick leave for every 40 hours worked, and also maintain appropriate usage of paid sick leave to include immediate family. Mr. Cattelan closes by requesting this legislation be effective January 1, 2025, to provide YMCAs across the state adequate time to prepare.

Shellye Davis, Secretary-Treasurer, Connecticut AFL-CIO: Mrs. Davis submitted testimony in support of this legislation. In her testimony, she argues that women and workers of color are overrepresented in industries that do not offer their employees paid sick leave, and expanding this legislation would be beneficial to all Connecticut employees. She argues this would be beneficial because employees would be able to prioritize their health and the health of their families without jeopardizing their financial stability. Mrs. Davis notes that this legislation should be amended to redefine "family" as found in the Paid Family Medical Leave Act to include diverse family structures. She also provides language to include rail workers as protected employees under this legislation.

Richard Hollant, Founder & Director, CO:LAB: Mr. Hollant submitted testimony in support of this legislation. In his testimony, Mr. Hollant argues that as an employer his agency already offers benefits like paid sick leave. He argues that offering these benefits helps employers retain high-quality staff because employees feel valued. He notes that when the state prioritizes employers offering benefits to employees, like paid sick leave, employers can more

easily recruit and retain staff. He also notes that offering benefits like paid sick leave allows the state to economically keep pace with neighboring states.

Melissa Kane, Interim Executive Director, CT Against Gun Violence: Mrs. Kane submitted testimony in support of this legislation. In her testimony, Mrs. Kane argues that adopting this legislation will enable employees to care for family members who have experienced sickness or violence. She notes that expanding paid sick leave to employees who do not have access will end cycles of poverty and reduce gun violence. She encourages the committee to amend language in this legislation to include *any* violence.

Mary Lee Kiernan, President & CEO, Young Women’s Christian Association – Greenwich: Mrs. Kiernan submitted testimony in support of this legislation. In her testimony, Mrs. Kiernan argues that adopting this legislation and expanding paid sick leave will lead to healthier and more productive workplaces. She also argues that this legislation would take away a difficult decision for employees – prioritizing their health, or their income. She also notes that BIPOC (Black, Indigenous, and People of Color) and Women workers are typically overrepresented in jobs that do not offer paid sick leave.

Tonishia Signore, Policy Director, She Leads Justice: Mrs. Signore submitted testimony in support of this legislation. In her testimony, Mrs. Signore argues that adopting this legislation will prove to be beneficial to the state, employees, and employers. She also argues that there are disparities for employees who have access to paid sick leave. She noted that less than half of part-time workers, who are disproportionately women and people of color have access to paid sick leave. She also notes that workers with access to paid sick leave report improved job satisfaction and morale which increases their productivity and performance and lessens job turnover.

Nick Teeling, Advocacy Deputy Director, Connecticut Voices for Children: Mr. Teeling submitted testimony in support of this legislation. In his testimony, Mr. Teeling argues that access to paid sick leave would be beneficial to high-quality early care and education. He argues this because when a child is sick, parents are forced to take time off from work which can jeopardize their careers. He argues this was the case, particularly for women employees. He notes that COVID-19 forced women out of the workforce to care for their families, and women have not fully recovered.

Molly Thacker: Mrs. Thacker submitted testimony in support of this legislation. In her testimony, Mrs. Thacker argues that this legislation provides her with comfort and confidence, knowing she has access to paid sick leave. She also argues that this legislation would create a more equitable environment for caregivers by expanding the definition of family. She notes that she is “optimistic” about having the “right to a balance between our work and our health.”

Michael Thompson, Executive Director, Mason Contractors Association of Connecticut: Mr. Thompson submitted testimony in support of this legislation. In his testimony, Mr. Thompson argues that by adopting this legislation, access to paid sick leave for mason contractors would be protected regardless of collective bargaining agreements.

Jess Zacagnino, Policy Counsel, ACLU Connecticut: Mrs. Zacagnino submitted testimony in support of this legislation. In her testimony, Mrs. Zacagnino argues that this legislation is beneficial because it expands the number of employees in the state who have access to paid sick leave and also redefines “family” to be more inclusive. She also notes that women and workers of color are disproportionately employees who do not have access to paid sick leave.

The following individuals submitted general testimony in support of this bill and shared personal anecdotes:

Maribel Gutierrez, domestic worker

Rocio Sartillo, domestic worker

Rob Silberman, Member & Manager, S & R Associates, LLC

NATURE AND SOURCES OF OPPOSITION:

Andrew Parker, President, Hallmark TotalTech, Inc.: Mr. Bellucci submitted testimony in opposition to this legislation. In his testimony, Mr. Bellucci argues that adopting this legislation would be costly to small businesses throughout the state. He argues that adopting this legislation will make it harder and more expensive for businesses to operate. He warns that expanding protected workers under this legislation would lead to increased costs, which will be felt by consumers. He also warns that this legislation may force businesses to make cuts.

Gary Bergeron, President, Connecticut Trailers Inc.: Mr. Bergeron submitted testimony in opposition to this legislation. In his testimony, Mr. Bergeron argues this legislation isn't necessary, as the state already has a law establishing Family and Medical Leave. He also argues that his company already offers Paid Sick Leave to employees. He notes that employees will utilize their Paid Sick Leave time whether they are sick or not, which can make it difficult for small businesses to have consistent staffing, which can make it difficult for them to compete with larger businesses. Mr. Bergeron notes that adopting this legislation could lead to temporary employee layoffs due to staffing instability. He also argues that small businesses are already struggling in the state, and adopting this legislation would further exacerbate the problem.

Dr. Linda Dalessio: Dr. Dalessio submitted general testimony in strong opposition to this legislation.

Kelly DeMatteo, Vice President of Property Management, Trio Properties: Mrs. DeMatteo submitted testimony in opposition to this legislation. In her testimony, Mrs. DeMatteo argues that the way to help Connecticut businesses would be by stimulating the economy by encouraging local entrepreneurship and encouraging consumers to buy locally. She argues that this legislation seeks to solve a problem that was previously addressed by the passage of the Paid Family Medical Leave Act in 2011. She notes that Connecticut businesses are already struggling to compete in the state, and adopting this legislation would further exacerbate the problem.

Scott Dolch, CEO, Connecticut Restaurant Association: Mr. Dolch submitted testimony in opposition to this legislation. In his testimony, he argues that adopting this legislation would exacerbate increasing operational costs restaurants experience like food, energy, rent, technology, and equipment. He argues that adopting this legislation could force small independent businesses throughout the state to lay off employees. He notes that this legislation would hinder the viability and growth of Connecticut's small independent businesses.

Debbie Esposito: Mrs. Esposito submitted testimony in opposition to this legislation. In her testimony, she argues that this legislation would harm small businesses.

David Flemming, Director of Policy & Research, Yankee Institute: Mr. Flemming submitted testimony in opposition to this legislation. In his testimony, Mr. Flemming argues that this legislation does not consider the financial stability of small and medium-sized businesses. He argues that this legislation assumes that employees would prefer paid sick leave over alternative benefits, which lessens the amount of choice an employee has. He warns that adopting this legislation could potentially lead to layoffs, reduced economic growth, less competition, and an “erosion of the state’s tax base.”

Ed Fogarty, Owner, Club 24 Concept Gyms: Mr. Fogarty submitted testimony in opposition to this legislation. In his testimony, Mr. Fogarty argues that this legislation is not in the best interest of small businesses throughout the state. He notes that companies like his already offer benefits to employees as a means to recruit and retain high-quality employees. He argues that this legislation would be a financial burden to businesses throughout the state. He notes that increase in costs will be felt by customers and can force businesses to make cuts.

Brooke Foley, Counsel, Insurance Association of Connecticut: Mrs. Foley submitted testimony in opposition to this legislation. In her testimony, Mrs. Foley argues that adopting this legislation would be economically devastating. She argues that this bill would further exacerbate increased costs which small businesses and insurers are already struggling with.

Robert Kleyszewski, President, REN Investment Group, Inc.: Mr. Kleyszewski submitted testimony in opposition to this legislation. In his testimony, Mr. Kleyszewski notes that he is an employer that already offers expanded benefits and pay to his employees. He argues that this legislation takes discretion away from the employer. He also argues that paid sick leave forces businesses to adjust on a whim and forces additional burdens on other employees.

Maureen Lucas, CPA: Mrs. Lucas submitted testimony in opposition to this legislation. In her testimony, Mrs. Lucas argues that adopting this legislation would place additional unnecessary burdens on employers, and small employers particularly. She argues that businesses are already experiencing low profit margins and increased expenses to operate. She notes that adopting this legislation would exacerbate the problem because employers would be required to pay an absent employee and another employee to cover. She also notes that this bill doesn’t protect the longevity and viability of employers and isn’t in the best interests of businesses statewide.

Andy Markowski, State Director, National Federation of Independent Business: Mr. Markowski submitted testimony in opposition to this legislation. In his testimony, Mr. Markowski argues that small businesses throughout the state are already struggling to maintain business operations, and adopting this legislation would exacerbate the problem. He notes that many small businesses throughout the state are already flexible with employees and permit employees to take time off when necessary. He also notes that employees may prefer alternate benefits rather than paid sick leave. He argues that many small businesses do not have the staffing infrastructure to ensure the management of recordkeeping, paperwork, or other administrative requirements. He warns that this legislation will jeopardize the financial stability of small businesses, as they may not be able to afford it. He also warns that adopting this legislation would hurt small and medium-sized businesses and be a deterrent to other small businesses looking to relocate or expand.

Zachary McKeown, Advocacy Manager, Connecticut Conference of Municipalities: Mr. McKeown submitted testimony seeking clarification on this bill. In his testimony, Mr. McKeown seeks clarification about the term “employer” and if municipalities would be considered under that

term. He encourages the committee to expressly exempt municipalities if they have a collective bargaining agreement.

Allen Nadeau, Chair of Legislative Affairs, New England Spring & Metalstamping

Association: Mr. Nadeau submitted testimony in opposition to this legislation. In his testimony, Mr. Nadeau argues that adopting this legislation will disproportionately impact small businesses. He also argues that this legislation will lead to an increase in the cost of doing business in Connecticut. He notes that businesses in Connecticut already struggle to remain competitive in Connecticut and adopting this legislation would harm those businesses even more.

Jessica Olander, President, Connecticut River Valley Chamber of Commerce: Mrs. Olander submitted testimony in opposition to this legislation. In her testimony, Mrs. Olander argues that this legislation is not necessary, as it solves a problem that has previously been addressed by the passage of SB 913 in 2011. She also argues that adopting this legislation would create a “one size fits all” policy which is “irresponsible”. She notes that adopting this legislation is not in the best interest of small businesses throughout the state.

Susan Pronovost, Executive Director, Connecticut Greenhouse Growers Association: Mrs. Pronovost submitted testimony in opposition to this legislation. In her testimony, she argues that this legislation restricts the rights of private businesses. She also argues that there will be a drastic increase in labor costs for lots of Connecticut’s Family Farms. She notes that this legislation will place an unnecessary burden on family farms and seasonal farms throughout the state. She warns that adopting this legislation “takes the ‘mom-and-pop’ family farm and transforms this entity into a corporate structure.”

Frank Ricci, Labor Fellow, Yankee Institute: Mr. Ricci submitted testimony in opposition to this legislation. In his testimony, Mr. Ricci argues that this legislation fails to consider how small and medium-sized businesses will be impacted. Mr. Ricci also argues that adopting this legislation could force businesses throughout the state to lay off employees which will reduce economic growth and deteriorate investment and competition in the state. He notes that this legislation will lead to the “erosion of the state’s tax base”. He further argues that this legislation assumes that employees would prefer paid sick leave rather than alternate benefits employers can offer. He also notes that this legislation fails to provide guidance to address fraud and abuse of paid sick leave.

Wendy Traub, President, Hemlock Directional Boring, Inc.: Mrs. Traub submitted testimony in opposition to this legislation. In her testimony, Mrs. Traub argues that employers understand that benefits can be used to recruit and retain employees. But she further argues that those benefits should be negotiated between employee and employer. She also notes that punishes small businesses and cites that up to 90% of employers in the state offer paid sick leave. She also notes that the state should prioritize valuing entrepreneurship and small businesses.

Ashley Zane, Senior Public Policy Associate, Connecticut Business & Industry

Association: Mrs. Zane submitted testimony in opposition to this legislation. In her testimony, Mrs. Zane argues that will have adverse consequences that will be felt. She argues that wage costs and other additional costs are adding up and worsening financial and inflationary concerns. She warns that not every business in the state will be able to pay 40 hours of paid sick leave to employees. She also argues that just because the law does not require employers to offer employees paid sick leave, doesn’t mean employers aren’t offering it. She also expresses concern about the effective date, stating the October 2024 effective date doesn’t give businesses ample time to prepare.

The following individuals submitted testimony in general opposition to this bill, stating that the passage of SB 913 in 2011 gives employees access to paid sick leave:

Anthony Belluci, Vice President, Hamilton Connections, Inc.

Frank Szilagyi, Managing Partner, Szilagyi & Daly

Darlene Witkowski, President, Bridgeport Tool and Stamping

James Rochford, Chair of Public Affairs Committee, Shoreline Chamber of Commerce

Lisa Thibodeaux, CFRO & Owner, Tulumieri Associates, Inc.

Reported by: Tyler Fisher

Date: 04/04/2024