An Act establishing earned paid sick time is a bill that seeks to protect the rights of hard workers in Massachusetts to seek medical care and take care of their sick loved ones during times of illness. The bill systemizes ‘earned paid sick time’ and ‘earned unpaid sick time’ to allow employees to earn 1 hour of sick time for every 30 hours worked to ensure that employees would not be fired, threatened, and punished for missing work.

**The Bill**

H.1739: An Act establishing earned paid sick time.

**Excerpt from Storybook**

Jessica’s story: Jessica is a 22-year old recent college graduate who worked at a restaurant as a waitress. Due to increase competition for post-graduate jobs, she had to sustain herself by working at the restaurant to pay off her college education loans, which exceed $80,000. When she was feeling ill, she could not afford to miss a day’s worth of work because this was her only source of income. “People are in desperate need of money. Even if I am sick, I need the money and go to work to pay off my loans and bills.”

“It’s always good to work at a place where people respect you and treat you right. For employers who don’t, I can’t imagine it’s a successful enterprise. What a miserable operation you’re running that you can’t prioritize treating your employees well.” (Elizabeth Toulan, Massachusetts Paid Leave Coalition)

**Elevator Speech**

Hi, our names are Gloria and Natalie, and we’re currently students at Brandeis University. We want to talk to you about ensuring fairness for hard workers. Every day, there are workers who have to leave their sick children home alone because they cannot afford to miss their work. Such lack of protection of workers has resulted in almost one in six workers to be fired for taking time off to seek medical care for their illness or sick loved ones. One solution to this problem is an Act Establishing Earned Paid Sick Time, which if passed, would allow workers to earn 1 hour of
sick time for every hard 30 hours worked. Whether workers receive paid or unpaid sick time depends on the size of the companies — for small companies with fewer than 6 employees, employees will receive unpaid, job-protected sick time. This legislation will also reduce the spread of infectious diseases in the workplace. We sincerely ask you to support the earned paid sick time (S900/H1739) bill by reporting favorably of this bill to the Health Care Financing Committee. Thank you for your consideration!

■ Letter to the Legislator

Dear Representative John Lawn,

My name is Natalie, I’m a student at Brandeis University and currently live in Waltham. I am lobbying for An Act Establishing Earned Paid Sick Time (H1739/ S900), a bill that would provide hard workers with the support and protection they deserve. Everyday in Waltham and throughout the Commonwealth of Massachusetts, hard workers are being forced to make the decision of leaving their sick kids at home or sending them to school sick because they cannot afford to take time off of work. As a father of five, I’m sure you can understand the pain and anguish that these people must feel knowing their child is sick and miserable yet there is little to nothing that they can do. Currently, the lack of protections has resulted in one in six workers being fired to take time off to deal with illness. If this bill becomes law, the concern of not receiving sick time can be alleviated. It will establish a regulation that workers will earn one hour of sick time for every thirty hours worked up to a certain number in a tier structure based on the size of the company; for example, a company with six to ten employees can individually earn up to 40 hours of paid sick time per year. Ultimately, this legislation will serve as a guarantee that workers have certain rights and workers can stay employed, remain financially secure and supplement the well being of their families.

While some business owners are in support of this bill, many express disapproval of this bill due to the pressure to increase payment for workers. However, without setting a consistent baseline of health for companies to ensure worker protection, nearly one million workers in Massachusetts are at risk of losing their jobs and wages because they have to stay home to take care of themselves or their loved ones. These hard workers represent 36 percent of the workforce in Massachusetts. Without these labor protections, individuals come to work sick and unable to perform fully on the job. The decreased production should be a concern for employers and puts co-workers and customers at risk of getting sick. Lastly, this bill will create a $26 million average annual net benefit for employers. The bill will reduce worker turnover, contagion and lost productivity. With a bill that has strong moral and financial implications, we sincerely urge you to consider in favor of this legislation.

As Vice Chair of the Joint Committee on Public Health, we ask you to consider the magnitude of success this bill could have in the field of public health. When people are unable to receive timely medical care and come to work sick, their health as well as that of their co-workers and customers can be compromised. Please speak with your fellow legislators on the Joint Committee of Workforce and Labor Development to encourage their support of this important bill.

■ House Ways and Means Script

We want to talk to you about ensuring fairness for hard workers. Every day, there are workers who have to leave their sick children at home alone because they cannot afford to lose wages by missing work. Almost one in six workers has been fired for taking time off to seek medical care for their illness and sick loved ones. In fact, 36% of working Massachusetts residents, or approximately one million employees, lack access to earned paid sick time. Such inability to obtain timely and prompt health care due to lack of earned paid sick time can often lead to negative consequences such as worse general health, greater reliance on emergency departments, loss of productivity, and spread of contagious diseases in the workplace.

One solution to this problem is an An Act establishing earned paid sick time (S900/H1739), which allows workers to earn 1 hour of sick time for every 30 hours worked. Based on the size of the company, employees can earn up to a certain number of paid or even unpaid sick time. Employees may use their earned sick time to seek medical care for their own illness or for a family member, attend preventative medical appointments, and seek support in cases of domestic violence. This bill not only protects workers’ rights, but it improves the employer-employee relationship by creating conditions for workers to be treated fairly.

Numerous studies have demonstrated the significant economic benefits to both businesses and employees by providing paid sick time. According to Institute for Women’s Policy Research in May 2012, businesses in Massachusetts are expected to expend $198 million annually to provide new paid sick time for employees due to lost productivity, increased wages, benefits, and administrative expenses. This cost of the law for employers is equivalent to a 19 cent per hour increase in wages for
employees receiving new leave, or about $6.54 per week. Costs of implementation will largely accrue to employers with 10 or more employees, with annual costs of $186 million for businesses in this category. Annual costs of $12 million are anticipated for businesses with between six and nine employees.

In return for its expenses, providing new paid sick time is expected to yield benefits of $225 million annually for employers, largely due to savings from reduced turnover. The anticipated savings for employers are expected to be $0.22 per hour in wages, or about $7.41 per week for covered workers. By comparing costs to employers and anticipating benefits for employers, Massachusetts’s employers will have an expected annual net benefit of $26 million. This bill would cost the state no extra money. Enforcing this bill would be more of a commitment between employers and employees. The state would only have to get involved if employers were not following the mandates of this bill. Through the implementation of this bill, it would fall more on the employers’ shoulders to front the money and pay for the extra hours; however, they get money back in the end. The only way this bill can work is if employers are willing and able to respect and uphold this mandate; if they do the State will not have to pay any money nor will it get involved. Moreover, workers and their families will enjoy lower expenditures for health care services totaling $24 million annually as a result of decreased emergency department use and reduced norovirus outbreaks in nursing homes. This improvement in family economy security as a result of wage replacement and stable employment can in turn stimulate the local economy, making an overall positive impact on businesses, workers, and the communities in Massachusetts.

Current opponents of this bill, who are mainly business owners, fear that granting sick time to workers would lead to billions of dollars wasted in production, reduction of jobs, and pushing employers into other states. Such disapproval had propagated false rumors regarding the provisions in this bill, such as inclusion of the paid sick time covering independent contractors, who would in fact not be covered under the proposed law. Many have exaggerated the costs for businesses to implement the bill by arguing that in order to fulfill the mandates, they will have to cut other workers’ times or make other cutbacks to afford the sick time payment. One vocal opponent is the National Federation of Independent Businesses (NFIB) who in early 2012, argued that by mandating such legislation, there would be an influx of cost forced on employers in Massachusetts. They predicted that implementing this bill in Massachusetts would cost nearly 16,000 jobs by 2016. This data was obtained using the new employer costs based on the bill’s requirements and the new spending on healthcare-related goods and services due to increase in paid sick leave taken by employees. Furthermore, the group predicted the cumulative real output loss to be $8.4 billion across businesses of all sizes by comparing total cost of the bill to a baseline forecast if the bill does not get implemented.

Observing the effect of the 2006 implementation of mandated paid sick time legislation in San Francisco disabuses these fears. Employers are often afraid of their employees abusing the right to sick time, and taking time off when they actually don’t need to. However, a 2011 research report shows that in San Francisco, six out of every seven employers did not report negative profitability effects from the paid sick leave, and most said that new legislation had proven easy to implement. Addressing the concern of employees taking advantage of paid sick time, a recent study showed that Massachusetts workers take an average of 2.5 earned sick days a year. Employees in San Francisco also exhibited the trend even after implementation of the bill, as workers used only three days of paid sick leave of the available five or nine sick days. One quarter of employees in San Francisco used zero, and parents with paid sick days were also 20 percent less likely to send a child with a contagious disease to school than parents without the benefit. Both numbers in Massachusetts and San Francisco confirm that workers treat sick time as an insurance policy, only to be used for emergency situations.

We wanted to ask you to support an Act to Establishing Earned Paid Sick Time by your favorable report on this bill to the Ways and Means committee. If you would like, we can also provide you with the research studies mentioned in our conversation for thorough inspection. We sincerely ask for your consideration to protect workers’ rights and improve the workplace atmosphere, general health of our state, and our economy. Thank you!

Excerpts from Campaign Journals

Gloria

During our second field trip to the State House, we talked to legislators on the labor and workforce development committee who were not yet co-sponsors of the Earned Paid Sick Time bill, including Representative John Rogers. He sat down with us and listened intently to our elevator speech and our arguments on economic benefits of the bill. I also gave him the printed research report on the Mass Paid Sick Leave Coalition website that thoroughly detailed how the study showed that employers in Massachusetts would have a net benefit of $26 million with passing earned paid sick time. During our 30-minute conversation,
he was very impressed by how much passion we exhibited on advocating for the bill, because through this personal
encounter, the issue was made more convincing to him.

Moreover, it occurred to me that he was afraid to upset
the business owners, as he was sympathetic to giving all
workers the equal right to have paid sick time but was
worried about voting in favor of it. I then mentioned that
one of the state legislators most opposed to this bill in San
Francisco said, “this is the best thing that’s happened to the
economy in San Francisco” when the bill passed and led
to economic growth. Representative Rogers responded to
this incident very well, saying that “sometimes legislators
need to be brave and make unpopular choices to do the
right thing, and I sure had learned from my mistakes on
this.” I then encouraged him to do the right thing, since
the economic aspects of the bill are promising. Overall,
I thought that we responded to his personal concerns
regarding the bill very well, and he received our message
positively.

I think the meeting went well, because he was so
receptive to us. Again, he genuinely wanted to learn and I
think being able to advocate for his support of the bill was
a valuable experience. It’s nice to know that he was willing
and ready to listen to our ideas and opinions and was going
to consider voting favorably for this important bill. I think
we possibly could have followed up with him. While we
did not make a lasting connection, it could have been
beneficial for us and for the bill to call or email and check
on his stance and offer to provide any further answers for
him.

Update
As of May 14, 2013, H.1739 was scheduled for a hearing
on June 25, 2013 by the Joint Committee on Labor and
Workforce Development.

Natalie
This meeting was at the State House and was with
Representative John Rogers. Our meeting was held during
our visit to the State House. The meeting was attended
by Representative Rogers, myself, and Gloria Park. On
that same day, we were meeting with people on the Joint
Committee of Labor and Workforce Development because
they represent the first committee that An Act Establishing
Earned Paid Time will be going through. There are 11
cosponsors of the bill who were already on the committee,
so we were aiming at speaking to people that were not
already avid supporters, and Representative Rogers was
one of them. We spoke with him for about 20 minutes
about the bill and the importance of the bill. He was very
understanding, kind, and really interested in what we had
to say. He was on the fence about supporting the bill, so it
was a beneficial meeting to try and persuade him to see all
the benefits this bill brings.

While I would not say we made a lasting connection,
there definitely was a sense of a connection while we were
talking. He was very respectful in hearing our side and
seemed genuinely interested in learning about the bill and
why it mattered. We talked a lot about the business pros
and cons, and he seemed impressed by our knowledge and
grasp of this bill.

For more information
Massachusetts Paid Sick Leave Coalition
http://masspaidleave.org