



Testimony for the House Economic Matters Committee
February 27, 2013

HB 735 - Labor and Employment - Maryland Earned Sick and Safe Leave
Act

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SUPPORT

The ACLU of Maryland supports HB 735, which establishes a paid sick days standard in Maryland. More than 700,000 people in our state cannot earn paid sick days to use when they or a loved one is ill.¹ It is no surprise that a 2012 poll showed that 82 percent of Marylanders support access to paid sick days.

No worker should have to lose income or risk being fired for taking time off to recover from illness or care for a sick loved one, especially at a time when families' finances are stretched and jobs can be hard to find. This bill provides a logical path for ensuring a healthy and productive workforce.

Impact on Low-Income Workers

Access to paid sick days disproportionately affects low wage and service industry workers, often forcing these Marylanders to choose between their health and their economic stability. For many families, a few days of lost pay is equivalent to losing an entire month's worth of groceries for a typical family without paid sick days.²

Wage and job loss due to illness are very real threats for workers without paid sick days. Nearly one in four workers report that they have lost a job or were threatened with job loss for taking time off due to personal or family illness.³ Paid sick days provide wage and job security by allowing workers to take the job-protected time they need when illness strikes. This security is critical to families' economic stability. Particularly in tough economic times, job or income loss can cause workers and their families to fall into poverty and turn to public assistance and public programs that cost taxpayers money.

Families without paid sick days have to risk their basic necessities when illness strikes. For a family without paid sick days, on average, 3.1 days of pay lost to illness are equivalent to the family's entire monthly health care budget, and 3.5 days are equivalent to its entire monthly grocery budget.⁴ Simply put, paid sick days help families make ends meet.

¹ Institute for Women's Policy Research, *Access to Paid Sick Days* (Jan. 2013).

² National Partnership for Women and Families and NAACP, *African American Workers and Their Families Need Paid Sick Days*, pg. 1 (Jan. 2013).

³ National Partnership for Women and Families, *Paid Sick Days Lead to Cost Savings for All* (Oct. 2012) ("Cost Savings for All Report").

⁴ *Cost Savings for All Report*, pg. 2.

This bill helps avoid unnecessary health care expenses by obtaining timely primary and preventive health care. Paid sick days allow workers and their families to access care, keeping undiagnosed problems or chronic conditions from going unattended. Workers without paid sick days are more likely to delay needed medical care for themselves and family members, potentially leading to major health problems — and higher medical costs — down the line.

Impact on Marginalized Communities

Minority workers are amongst the nation’s most economically vulnerable. 57 percent of working -poor families have at least one non-white parent. Over a quarter of working-poor families (28 percent) have at least one Latino parent, and one-fifth include at least one African-American parent.⁵ As a result, these workers are amongst those least able to give up a day’s pay in exchange for a day home sick, or home with a sick child.

In particular, Latino workers have the highest labor force participation rate of any racial or ethnic group but are more likely to work in occupations in which workers do not have paid sick days, including: food preparation and serving, construction and personal care.⁶ Many of these occupations not only have little or no access to paid sick days, but they also require frequent contact with the public. Without paid sick days, workers often have no choice but to go to work sick, which puts the health of their co-workers and the public at risk.

In addition, this bill will have a particularly significant effect on women workers. Women make up nearly half the labor force.⁷ Seven in ten mothers of children under 18 hold jobs, and the vast majority contribute a substantial share of their families’ income. At the same time, women bear a disproportionate share of family caregiving responsibilities. Two-thirds of all family caregivers are female.⁸ Overwhelmingly, mothers have primary responsibility for selecting their children’s doctors, accompanying children to appointments and helping to ensure they obtain recommended care.

Too many women can’t access the time they need to care for themselves and their families. When illness strikes or family needs arise, women who cannot earn paid sick time face impossible choices between health and economic stability. More than half of Latina workers (54 percent) and more than four in ten African American women who work (42 percent) are not able to earn paid sick days to recover from illness and many more can’t earn sick time to care for an ill child or loved one.⁹

Business Benefits

Businesses benefit when their employees have access to paid sick days. When sick workers are able to stay home, the spread of disease slows and workplaces are both healthier and more productive. Plus, workers recover faster from illness and obtain

⁵ U.S. Congress Joint Economic Committee, *Expanding Access to Paid Sick Leave: The Impact of the Healthy Families Act on America’s Workers*, pg. 7 (March 2010).

⁶ National Partnership for Women and Families, *Latino Workers and Their Families Need Paid Sick Days*, pg. 1 (July, 2012).

⁷ National Partnership for Women and Families, *Working Women Need Paid Sick Days*, pg. 1 (Oct. 2012) (“Women Need Paid Sick Days Report”).

⁸ *Women Need Paid Sick Days Report*, pg. 1.

⁹ *Id.*

timely medical care – enabling them to get back to work sooner and holding down health care costs.

Paid sick days also help to decrease the productivity lost when employees work sick – known as “presenteeism” – which is estimated to cost our national economy \$160 billion annually, surpassing the cost of absenteeism.¹⁰

The standard proposed by this legislation would level the playing field by making paid sick days a universal practice, while also ensuring enough flexibility for employers to continue offering more generous benefits. The passage of this bill will result in healthier workplaces, reduced turnover, more satisfied and productive workers and better bottom lines.

For these reasons, the ACLU of Maryland urges a favorable report on HB 735.

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¹⁰ National Partnership for Women and Families, *Paid Sick Days: Good for Business, Good for Workers* (Aug. 2012).