



## Support the Healthy Working Families Act

Everyone gets sick and everyone deserves time to recover without risking their economic stability

### The Urgent Need for Paid Sick Days

- 40 percent of private-sector workers – and more than 80 percent of low-wage workers – are unable to earn paid sick days.<sup>1</sup>
- In Maryland, more than 720,000 workers are forced to make impossible choices: go to work sick, send an ill child to school or daycare, or stay home and sacrifice much-needed income or, worse, risk job loss.<sup>2</sup>
- Over half of full-time Maryland workers who earn less than \$35,000 annually lack access to paid sick days.<sup>3</sup>

### Marylanders Strongly Support Paid Sick Days

- There is strong support across party lines for family friendly policies like paid sick days, according to a 2012 Hart Research poll.<sup>4</sup>
- In a survey conducted amongst likely voters in three key Maryland districts, 82 percent of respondents favored a proposal to allow workers to earn paid sick days based on the number of hours they work.<sup>5</sup> Support was broad across key voting blocs with 93 percent of Democrats and 64 percent of Republicans expressing support.<sup>6</sup>

### Maryland's Businesses and Economy Will Benefit from Paid Sick Days

- Providing earned sick days is expected to yield benefits of \$195 million annually for employers, largely due to savings from reduced turnover.<sup>7</sup> The anticipated benefits for employers are expected to have a wage equivalent of a savings of \$0.25 per hour, or about \$9.07 per week for covered workers, according to the Institute for Women's Policy Research.<sup>8</sup>

### Paid Sick Days Protect Children and Families

- For the typical family without paid sick days, just 3.5 days without pay is equivalent to losing an entire month's grocery budget.<sup>9</sup> For single-parent families, which are usually headed by women, the situation is even more dire.<sup>10</sup>
- Children inevitably get sick and they get better faster when their parents care for them,<sup>11</sup> but parents without paid sick days are more than twice as likely as parents with paid sick days to send a sick child to school or daycare.<sup>12</sup>
- For African-American families the threat of job loss is especially damaging. In Maryland, 24 percent of African-Americans live in poverty.<sup>13</sup> For these families, losing precious income due to illness or caring for a family member has severe ramifications.

### Working Women Need Paid Sick Days

- Women make up 49 percent of Maryland's workforce,<sup>14</sup> and two-thirds of all family caregivers are female,<sup>15</sup> yet women-dominated industries are among the least likely to offer paid sick days.<sup>16</sup>
- 54 percent of working women lack access to paid sick days.<sup>17</sup>
- 20 percent of working women report that they or a family member have been fired or disciplined for taking time off to cope with an illness or to care for a family member.<sup>18</sup>
- Nearly one in four American women report physical or sexual abuse by a husband or boyfriend at some point in their lives.<sup>19</sup> Paid safe days protect the paychecks and jobs of victims of domestic violence, stalking, or sexual assault when they need time off to seek assistance.<sup>20</sup>

### Paid Sick Days Improve Public Health

- Workers without paid sick days are more likely to go to work sick, and more likely to delay needed medical care, leading to prolonged illness and costly emergency room visits.<sup>21</sup>
- Between September and November 2009 – the H1N1 flu pandemic's peak months – eight million workers went to work sick, and may have infected seven million of their coworkers.<sup>22</sup>



## Frequently Asked Questions: Healthy Working Families Act

### How will full and part-time workers earn paid sick days?

- Employees will earn one hour of paid sick leave for every 30 hours worked, up to a maximum of 7 full days (or 56 hours) per year for full-time workers.
- Part-time workers will accrue fewer days per year, depending on the number of hours worked.
- Employees already employed on the date the new law takes effect will begin to accrue paid sick days at that time. They will not earn time retroactively.

### How will the law affect employers who give other paid time off?

- As long as an employer has a paid leave policy that meets the leave time requirements of the Act, and allows that time to be used for the same purposes and under the same conditions as the Act, the employer is not required to provide any additional leave.
- For example, an employer that provides 10 PTO (paid time off) days per year without categorizing it as vacation or sick leave, and doesn't prohibit employees from taking that leave if they or a family member is sick, will not have to change or alter their current paid leave plan.

### What will be required of small businesses?

- Employers with fewer than 10 employees will only be required to offer unpaid, job-protected sick leave.
- Seventy-five (75) percent of Maryland businesses employ fewer than 10 employees.<sup>23</sup>
- Eighty-nine (89) percent of workers, however, are employed by businesses with at least 10 employees.<sup>24</sup>

### Can workers carry over unused paid sick days, or receive compensation for unused days?

- Employees may carry over seven days (up to 56 hours) of earned sick and safe time; however, employers are not required to allow workers to use more than 10 paid sick days (80 hours) per year.
- The law does not require financial or other reimbursement to an employee for unused paid sick days upon the employee's termination, resignation, retirement or other separation.

### How many consecutive days can be taken?

- Employees can take as much leave as they have earned. However, after three consecutive days, an employer may require documentation showing that the earned sick and safe leave has been used for a purpose covered by the Act.

### What does the law require of employees in terms of giving notice to employers?

- An employee is required to make an oral or written request to take earned leave as soon as is practicable after the employee is aware of the necessity for leave. The request must comply with an employer's reasonable normal notification policies or call-in procedures and should include the expected duration of the employee's absence.

### How will the law interact with collective bargaining agreements?

- Nothing in the law diminishes an employer's obligation to comply with a collective bargaining agreement providing more generous leave policies.
- Collective bargaining agreements will be required to meet the minimum requirements of the law.

### What does "safe time" mean?

- "Safe time" will be afforded to employees who may need to take off work in order to obtain medical attention, victim's services, counseling, relocation, or legal services as a result of domestic violence, sexual assault or stalking.

### How will the law interact with FMLA?

- The Act in no ways impacts the federal Family Medical Leave Act.
- The purpose of FMLA is to help families with ongoing, serious health conditions or special caregiving needs, such as birth or adoption. It does not assist with common issues such as the flu or picking up a feverish child from school.

- 
- <sup>1</sup> U.S. Department of Labor, Bureau of Labor Statistics. (2014, March). Employee Benefits in the United States: Selected paid leave benefits: Access, National Compensation Survey (Table 6)
- <sup>2</sup> Institute for Women's Policy Research. (2014, October.) *Access to Paid Sick Days in Maryland*.
- <sup>3</sup> Ibid
- <sup>4</sup> Hart Research Associates. (2013, February) *Maryland Voters Support Paid Sick Leave*. Retrieved 15 July 2014, from <http://www.washingtonpost.com/wp-srv/business/documents/sick-leave-poll.pdf>
- <sup>5</sup> Ibid
- <sup>6</sup> Ibid
- <sup>7</sup> National Partnership for Women and Families. (2011, July.) *Everyone gets sick. Not everyone has time to get better. A Briefing Book on Establishing a Paid Sick Days Standard*.
- <sup>8</sup> Institute for Women's Policy Research. (2013, February) *Valuing Good Health in Maryland: The Costs and Benefits of Earned Sick Days*.
- <sup>9</sup> National Partnership for Women and Families. (2013, April) *Working Women Need Paid Sick Days*.
- <sup>10</sup> Ibid
- <sup>11</sup> Heymann, J. (2001, October 15). *The Widening Gap: Why America's Working Families Are in Jeopardy—and What Can Be Done About It*. New York, NY: Basic Books.
- <sup>12</sup> Smith, T., & Kim, J. (2010, June). *Paid Sick Days: Attitudes and Experiences*. National Opinion Research Center at the University of Chicago for the Public Welfare Foundation Publication. Retrieved 30 May 2012, from <http://www.publicwelfare.org/resources/DocFiles/psd2010final.pdf>. Unpublished calculation.
- <sup>13</sup> Henry J. Kaiser Family Foundation. (2013) *Poverty Rate by Race/Ethnicity*.
- <sup>14</sup> Institute for Women's Policy Research. (2013, February) *Access to Earned Sick Days in Maryland*.
- <sup>15</sup> National Partnership for Women and Families. (2013, April) *Working Women Need Paid Sick Days*.
- <sup>16</sup> Joint Economic Committee, United States Congress. (2010, March). *Expanding Access to Paid Sick Leave: The Impact of the Healthy Families Act on America's Workers*. Retrieved 12 September 2012, from [http://jec.senate.gov/public/index.cfm?a=Files.Serve&File\\_id=abf8aca7-6b94-4152-b720-2d8d04b81ed6](http://jec.senate.gov/public/index.cfm?a=Files.Serve&File_id=abf8aca7-6b94-4152-b720-2d8d04b81ed6)
- <sup>17</sup> National Partnership for Women and Families. (2013, April) *Working Women Need Paid Sick Days*.
- <sup>18</sup> Ibid
- <sup>19</sup> *Adverse Health Conditions and Health Risk Behaviors Associated with Intimate Partner Violence, Morbidity and Mortality Weekly Report*. February 2008. Centers for Disease Control and Prevention. Retrieved 12 September 2012, from <http://www.cdc.gov/mmwr/PDF/wk/mm5705.pdf>
- <sup>20</sup> Lloyd, S. & Taluc, N. (1999). The effect of male violence on female employment. *Violence Against Women*, 5(4), 370-92. Available from <http://vaw.sagepub.com/content/5/4/370.short?rss=1&ssource=mfc>
- <sup>21</sup> National Partnership for Women and Families. (2011, July.) *Everyone gets sick. Not everyone has time to get better. A Briefing Book on Establishing a Paid Sick Days Standard*.
- <sup>22</sup> Ibid
- <sup>23</sup> U.S. Census Bureau. (2013, December) *Statistics of U.S. Businesses (firms by employment size), 2011*.
- <sup>24</sup> Ibid