

# **MASSACHUSETTS PAID LEAVE COALITION**

Testimony of Elizabeth Toulan in Support of  
An Act Establishing Paid Sick Days, H. 1398, S. 930, before the  
Joint Committee on Labor and Workforce Development

July 14, 2011

Good morning Chairman Wolf, Chairwoman Coakley-Rivera and Members of the Committee. My name is Elizabeth Toulan. I am a senior attorney at Greater Boston Legal Services and the Coordinator of the Massachusetts Paid Leave Coalition.

Thank you for the opportunity to testify in support of H. 1398, S. 930, An Act Establishing Paid Sick Days. Our thanks as well go out to the members of this Committee who have co-sponsored or demonstrated their strong support for this critically important bill. Sen. Pat Jehlen and Rep. Kay Khan, who have taken the lead in filing this bill, are joined by over 80 Legislative co-sponsors and supporters in championing this bill.

As the Commonwealth struggles to contain escalating health care costs, it is imperative that Massachusetts adopt a universal paid sick days' standard. The research has been done. The numbers are in. Massachusetts, its businesses, workers, families, all 351 of her cities and towns, stand to gain a net benefit, in dollars and cents, as well as good health, with the adoption of the Paid Sick Days Act.

I will provide you with a brief overview of the bill's provisions.

The Paid Sick Days Act would provide up to seven paid sick days, earned over time, for employees to use to care for their own health and that of their children, a spouse, parent or parent of a spouse. The bill would also allow victims of domestic violence to take a paid sick day for purposes of addressing the psychological, physical and legal effects of domestic violence. Under the bill, employees earn their sick time at the rate of one

hour for every thirty hours worked. For example, an employee working forty hours a week would need to work fifty weeks without interruption before earning the maximum benefit of seven paid sick days.

The bill would not allow employees to cash out unused paid sick days upon separation of employment, or allow them to take an advance on unearned sick time. Balancing the needs of employers and employees, the bill gives employers discretion to require medical certification for absences of three or more consecutive days. There is no requirement to provide more than seven sick days in any given year. So, while an employee may carry over from one year to the next unused paid sick days, the benefit is capped at seven days. Employers would not be required to pay for more than the maximum of seven earned days in one year. Employers who provide more than twenty paid days off are exempt from the bill, provided workers can use up to of those days for sick and safe days as defined by the bill.

The testimony you will hear today makes a compelling case for the adoption of a paid sick days' standard for Massachusetts. You will hear from research, medical and public health experts, leaders from labor, business, faith-based and women's organizations. And you will hear from workers representing their almost 1 million counterparts in the Commonwealth's workforce who lack access to a single paid sick day. You will hear from businesses that offer paid sick days, attesting to the value of paid sick days to their businesses. In addition, several advocacy organizations and experts have submitted written testimony in support of paid sick days, including over one hundred and ten parents who are members of MomsRising. All of this testimony, including research from areas where paid sick days is the law, makes clear that we have nothing to lose and everything to gain with the adoption of a paid sick days' standard for Massachusetts.

In an effort to respond to the concerns of small business owners, a business roundtable is convening to solicit input on the bill from business owners. This has been done successfully in other jurisdictions that either have adopted or are in the process of adopting a paid sick days' standard.

On behalf of the Massachusetts Paid Leave Coalition, I urge you to give the Paid Sick Days Act a favorable report.

Thank you.

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