

# An Act Establishing Paid Sick Days, H1398, S930

Rep. Kay Khan and Sen. Pat Jehlen, Lead Sponsors

*A Labor Standard that Promotes Equality in the Workplace*

*Almost 1 million private sector workers in Massachusetts (over one-third of all such workers) lack a single guaranteed paid sick day.<sup>1</sup>*

## **Women are more likely to work in jobs that do not provide paid sick days.**

- Low-wage workers—the majority of whom are women—are even less likely to have paid sick days. Two-thirds of workers making \$10.63 per hour or less don't have access to paid sick time.
- Industries dominated by female workers are among the *least likely* to offer paid sick days. Nearly three-quarters of child care workers and food service workers lack access to paid sick time.<sup>2</sup>

## **Working women are more likely to have significant care giving responsibilities. Yet women often lose pay or risk losing their jobs to care for a sick child, and low-wage working women are the most likely to suffer financially.**

- One in three working women report that they provide care for an elderly relative, for persons with disabilities, or for children with special needs.<sup>3</sup>
- Half of working mothers miss work when their children get sick. Of these mothers, half do not get paid when they take this time off. Among low-income working mothers, two in three report losing pay.<sup>4</sup>
- One in eight women, and one in five women with children, reported that they or a family member had been fired or disciplined by an employer for taking time off to cope with an illness or to care for a sick child or family member.<sup>5</sup>

## **Working women need a basic workplace standard of paid sick days so they do not have to choose between keeping their jobs and caring for their own health, or that of their family members.**

- ***An Act Establishing Paid Sick Days***, filed by Rep. Kay Khan and Sen. Patricia Jehlen, would allow all employees to earn up to 7 paid sick days per year, at a rate of 1 hour for every 30 hours worked.
- Allowable uses include: (1) illness, injury or health condition that requires staying home, or professional medical care; (2) attending routine medical appointments, and (3) absences for domestic violence survivors.
- Paid sick days may be used by employees for themselves or to care for their child, spouse, parent or parent of spouse.

<sup>1</sup> Claudia Williams, Robert Drago, Kevin Miller, and Youngmin Yi, "Access to Paid Sick Days in the States, 2010," (Washington, DC: Institute for Women's Policy Research, 2011).

<sup>2</sup> Joint Economic Committee, *Expanding Access to Paid Sick Leave: The Impact of the Healthy Families Act on America's Workers*, March 2010.

<sup>3</sup> Jody Heymann, *The Widening Gap: Why America's Working Families Are in Jeopardy—and What Can Be Done About It*, Basic Books, 2000.

<sup>4</sup> Institute for Women's Policy Research. "Women and Paid Sick Days: Crucial for Family Well-Being," 2007.

[www.iwpr.org/pdf/B254\\_paid sick days FS.pdf](http://www.iwpr.org/pdf/B254_paid sick days FS.pdf).

<sup>5</sup> Lake Research Partners telephone survey of 1,200 likely voters nationwide (2.8% margin of error), conducted June 20 – 27, 2007.

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## KEY PROVISIONS OF THE PAID SICK DAYS ACT

All employees earn up to 7 paid sick days per year, at the rate of 1 hour for every 30 hours worked.

All employers (public and private) are covered by the bill. Employers offering more generous benefits will not have to modify their plans.

Employees may use leave for:

- Illness, injury or health condition that requires staying home, or professional medical care.
- Attending routine medical appointments.
- Absences for domestic violence victims.

Paid sick days may be used by employees for themselves or to care for their child, spouse, parent or parent of spouse.

## THIS BILL IS DESIGNED TO BALANCE EMPLOYER AND EMPLOYEE NEEDS:

Employers may require medical certification for any absence that exceeds 3 consecutive days.

Employers are not required to provide more than 7 paid sick days in any given year.

Employees cannot cash out unused days upon separation from employment or extended leave.

Unused sick days can be carried over at the end of a year, but an employee cannot accumulate more than 7 paid sick days in any given year, unless an employer provides otherwise.

Employers who offer 20 or more days of combined sick, vacation and personal days do not have to change their policies.

**To learn more, contact the Massachusetts Paid Leave Coalition, a group of over 70 organizations committed to passing the Paid Sick Days Act in the Commonwealth.**

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