



Testimony for the House Economic Matters Committee March 1, 2016

TONI HOLNESS
PUBLIC POLICY COUNSEL

HB 580 Labor and Employment - Maryland Healthy Working Families Act

SUPPORT

The ACLU of Maryland supports HB 580, which establishes an avenue for employees to earn paid sick leave 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.

Maryland's workers, who comprise the backbone of the state's economy, should not be forced to choose between financial stability and their health or the health of a loved one. This bill gives workers the opportunity to earn paid sick leave, thereby ensuring a healthy, stable, and productive workforce in Maryland.

AMERICAN CIVIL
LIBERTIES UNION
OF MARYLAND

MAIN OFFICE
& MAILING ADDRESS
3600 CLIPPER MILL ROAD
SUITE 350
BALTIMORE, MD 21211
T/410-889-8555
or 240-274-5295
F/410-366-7838

FIELD OFFICE
6930 CARROLL AVENUE
SUITE 410
TAKOMA PARK, MD 20912
T/240-274-5295

WWW.ACLU-MD.ORG

COLEMAN BAZELON
PRESIDENT

SUSAN GOERING
EXECUTIVE DIRECTOR

ANDREW FREEMAN
GENERAL COUNSEL

Impact on the Working Poor

15.8% of Marylanders have low-wage earning jobs and 19.5% of poor families in Maryland are working families.² Access to paid sick days disproportionately affects these poor and low-wage earning workers, who are least able to absorb a job loss or income cut. An illness in the household forces these Marylanders to choose between their health or the health of a loved one and their household's economic stability. For many families, losing 3.5 days of pay is equivalent to losing an entire month's worth of groceries, without paid sick days.³ On average, losing 3.1 days of pay due to illness is equivalent to the family losing its entire monthly health care budget. For others, wage loss can compromise the household's ability to pay rent, utility bills, school-related expenses, and other monthly bills.

Wage and job loss due to illness are very real threats for workers without paid sick days. Nationally, 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.⁴ 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. Simply put, paid sick days allow families to earn flexibility and job security.

¹ Institute for Women's Policy Research, *Access to Paid Sick Days* (Jan. 2015).

² Spotlight on Poverty and Opportunity (available at <http://www.spotlightonpoverty.org/map-detail.aspx?state=maryland>; defining low-wage jobs as "percentage of jobs in occupations with median annual pay below 100% poverty threshold for a family of four (\$22,314), 2010."

³ Job Opportunities Task Force, *Fact Sheet: Maryland Earned Sick and Safe Leave Act* (2014); National Partnership for Women and Families and NAACP, African American Workers and Their Families Need Paid Sick Days, pg. 1 (Jan. 2013); *Cost Savings for All Report*, pg. 2.

⁴ National Partnership for Women and Families, *Paid Sick Days Lead to Cost Savings for All* (Oct. 2012) ("Cost Savings for All Report").

Impact on Working Women

This bill will have a particularly significant effect on women workers. The majority of low-wage workers are women⁵ and women make up nearly half the labor force.⁶ Seven in ten mothers of children under 18 hold jobs, and the vast majority contributes 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.⁷ Overwhelmingly, mothers have primary responsibility for selecting their children's doctors, accompanying children to appointments and helping to ensure they obtain recommended care. 17.8% of Maryland's children with special health care needs live below the federal poverty level.⁸ The parents of these children necessarily need paid sick days to care for their families.

Impact on Communities of Color

Communities of color are amongst the nation's most economically vulnerable. 57% of working poor families have at least one non-white parent. Over a quarter of working-poor families (28%) have at least one Latino parent, and one-fifth have at least one African-American parent.⁹ 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.¹⁰ 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.

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.¹¹

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. Moreover, workers recover faster from illness and obtain

⁵ Job Opportunities Task Force, *Working Women need Paid Sick Days Fact Sheet*, page 1 (May 2010).

⁶ National Partnership for Women and Families, *Working Women Need Paid Sick Days*, pg. 1 (Oct. 2012) ("Women Need Paid Sick Days Report").

⁷ National Partnership for Women and Families, *Fact Sheet: Women Need Paid Sick Days* (April 2013).

⁸ Catholic Charities, *Vulnerable Populations in Maryland*, page 1 (2012)

⁹ 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).

¹⁰ National Partnership for Women and Families, *Latino Workers and Their Families Need Paid Sick Days*, pg. 1 (July, 2012).

¹¹ *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.¹²

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 580.

AMERICAN CIVIL
LIBERTIES UNION OF
MARYLAND

¹² National Partnership for Women and Families, *Paid Sick Days: Good for Business, Good for Workers* (Aug. 2012).