



the work and family legal center

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Hispanic Older Adults in New York City Need Paid Sick Time!

The New York City Paid Sick Time Act, a bill that would provide paid sick time to workers in New York City, is currently pending in the City Council. Although paid sick time is crucial for all New Yorkers, passage of the bill has specific benefits for Hispanic older adults and their families.

- **Approximately half of all working New Yorkers—more than 1 million people—do not get a single paid sick day for themselves or their relatives, and many of these workers are Hispanic older adults and their loved ones.**¹ Low-income Hispanic New Yorkers are significantly less likely to have paid sick time than other members of the workforce; more than 75% of all low-income Hispanic workers in New York City have no paid sick time.² Based on these figures, many Hispanic older adults and their relatives—especially those who work in lower-wage and service sector jobs in New York City—cannot take a sick day without losing pay or risking job loss.
- **The number of older adults in New York who are employed or looking for work is on the rise. These workers cannot afford to choose between their jobs and their health.** According to the federal government, the population of workers age 55 and over is expected to increase by more than 36% between 2006 and 2016.³ If older workers are unable to take paid time off to attend medical appointments and recover from illness, their health and economic security are jeopardized. The loss of a paycheck or job can be devastating to Hispanic older adults, who have a higher than average risk of poverty; approximately 18% of Hispanic elders in the United States—and 45% of older Hispanic women living alone—were poor in 2009, compared to 6.6% of elderly Whites.⁴
- **Research has shown that Hispanic elders have health disparities and less access to health care.** Hispanic older adults have a relatively high prevalence of diabetes, and 56% of Hispanics over age 50 have at least one chronic health condition.⁵ Furthermore, Hispanic older adults are less likely to receive preventive care and have access to health care.⁶ Due to these health disparities, many Hispanic elders have caregiving needs or require time off work to receive medical attention.
- **Paid sick time would improve the health and well-being of Hispanic older adults—even those who are retired or unemployed—by making it easier for their family members to care for them.** Many Hispanic older adults rely on family members to take them to the doctor, to care for them when ill, or to provide assistance during a medical emergency. Without paid sick time, however, working New Yorkers are too often faced with an impossible choice between a day's pay and caring for an elderly family member in need. It is estimated that more than 65 million Americans provide unpaid care to an adult and/or child with special needs, with Hispanic households having the highest prevalence of unpaid family caregivers.⁷ Almost 75% of these unpaid caregivers have juggled part-time or full-time employment while providing care to loved ones.⁸ The Paid Sick Time Act would make it easier for Hispanic workers to care for their aging family members' health needs.
- **Hispanic older adults are growing at a significant rate in New York, which will increase caregiving needs in the Hispanic community.** The New York State Office for the Aging has estimated that the population of older Hispanics will increase by more than 300% between the years 2000 and 2050.⁹ As the Hispanic population in New York continues to age, their working relatives will face increased



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caregiving demands. The Paid Sick Time Act would allow more Hispanic workers to care for their aging parents without fear of losing their jobs or pay.

- **Paid sick time is a significant public health issue for Hispanic older adults living in New York City.** When sick workers are unable to stay home, they increase the spread of illness in public spaces throughout New York City. The unnecessary spread of contagions in the community creates a health risk to older adults, who face a higher risk of complications from influenza and other communicable illnesses. The Paid Sick Time Act would provide crucial public health benefits to Hispanic older adults, by minimizing the public spread of flu and other illnesses.

How would the Paid Sick Time Act work? Does the bill respond to business concerns?

- The Paid Sick Time Act would establish a modest minimum floor of paid sick time for private sector workers employed in New York City. In response to business concerns and to ensure that small businesses are not burdened, supporters made numerous business-friendly amendments in 2012.
- Under the current bill, workers in businesses with 5 or more employees would earn up to 5 days of paid sick time a year. Sick time could be used for an employee's own illness or to take care of a sick family member. Businesses with fewer than 5 employees would be prohibited from retaliating against workers who use up to 5 *unpaid* sick days a year.
- New businesses with fewer than 20 employees will have a one-year grace period before being covered by the bill. Employers will not have to change their policies if they already provide an equivalent amount of paid time off or vacation that can be used for the purposes covered in the Paid Sick Time Act.

Do other cities and states have paid sick time laws?

- San Francisco, Washington D.C., Seattle and Connecticut all have paid sick time laws. The success of San Francisco's paid sick time law, which was implemented in 2007, has been clear. Recent research confirms the policy's public health benefits and the lack of negative economic consequences.¹⁰ Moreover, two-thirds of San Francisco employers now support the law.¹¹

What's the status of the New York City Paid Sick Time Act?

- Despite widespread public support and a veto-proof majority of 37 City Council Members signed on as co-sponsors, New York City Council Speaker Christine Quinn announced in October 2010 that she would not allow a vote at that time on the Paid Sick Time Act. Advocates have redoubled efforts to pass the bill in coming months.

¹ Nancy Rankin, *Still Sick in the City: What the Lack of Paid Leave Means for Working New Yorkers*, Community Service Society of New York (Jan. 2012), p. 3.

² *Ibid.*, p. 7.

³ U.S. Department of Labor, Employment and Training Administration, *Aging Worker Initiative: Strategies for Regional Talent Development*, available at http://www.doleta.gov/pdf/AW1_One_Pagers_Fact_Sheet.pdf. Last accessed November 28, 2011.

⁴ U.S. Department of Health & Human Services, Administration on Aging, *A Profile of Older Americans: 2010* (Feb. 2011), available at http://www.aoa.gov/aoaroot/aging_statistics/Profile/2010/10.aspx. Last accessed May 1, 2012.

⁵ Christy Erving, *The Health of the Hispanic Elderly: Mortality, Morbidity, and Barriers to Healthcare Access*, National Hispanic Council on Aging (2007) p. 4 (citing Shirey, L. & Summer, L. *Older Hispanic Americans: Less Care for Chronic Conditions*, Center on an Aging Society at Georgetown University (2003), 9, 1-6). See also Gretchen Livingston, Susan Minushkin & D'Vera Cohn, *Hispanics and Health Care in the United States*, Pew Hispanic Center (2008).

⁶ Erving, *The Health of the Hispanic Elderly*, p. 8-9.

⁷ National Alliance for Caregiving and AARP, *Caregiving in the U.S. 2009* (Nov. 2009), p. 12 (estimating the number of unpaid family caregivers during 2009).

⁸ *Ibid.*, pp. 52-53.

⁹ New York State Office for the Aging, *Demographic Changes in New York State*, available at

<http://www.aging.ny.gov/NYSOFA/Demographics/DemographicChangesinNewYorkState.pdf>. Last accessed May 2, 2012.

¹⁰ Robert Drago and Vicky Lovell, *San Francisco's Paid Sick Leave Ordinance: Outcomes for Employers and Employees*, IWPR (Feb. 2011).

¹¹ *Ibid.*