

New York Needs Paid Sick Leave!

Every day, there are residents of New York State who are forced to choose between their paycheck and taking time off of work to care for themselves or their loved ones because over a million workers in the state do not have any paid sick leave. This absence of paid sick leave comes at a cost to workers and their families, businesses, and the general public health. It's time that New York State steps up and guarantees paid sick leave for all New Yorkers.

Policy Nuts & Bolts: How New York's Paid Sick Leave Law Would Work

- Workers accrue paid time off as they work, at a rate of 1 hour of sick leave for every 30 hours worked.
- Time is available up to a cap, depending on the size of the employer.
 - Employers with fewer than 5 employees must provide at least 5 days of unpaid sick leave per year.
 - Employers with 5 to 99 employees must provide at least 5 days of paid sick leave per year.
 - Employers with 100 or more employees must provide at least 7 days of paid sick leave per year.
- Workers are protected against retaliation for requesting sick leave or using their sick leave rights. They may also bring a civil action for alleged violations of their sick leave rights.

The Need in New York

- As of 2018, an estimated **1.24 million working New Yorkers** outside of New York City and Westchester County lacked access to paid sick leave.
- Low-income workers and people of color are disproportionately likely to lack access.

Highlights: The Case for Paid Sick Leave

- Paid sick leave improves **public health**.
 - Paid sick leave makes workers less likely to go to work while sick or send a sick child to school or day care, reducing the spread of disease.¹
 - Paid sick leave makes workers more likely to seek preventive care, which is an essential tool for overall health.²
- Paid sick leave is **good for business**.
 - Paid sick leave reduces productivity loss from “presenteeism,” workers going to work sick, which can spread infection to co-workers.³
 - Paid sick leave reduces health care costs, for example by reducing the number of costly emergency room visits.⁴
- In New York City, research conducted a year and a half after the paid sick leave law was implemented⁵ found that:
 - 86% of employers said they supported the law.
 - 85% of employers said the law had *no* effect on their business costs.
 - Only 3% of employers reported cost increases of more than 3%.

- 98% of employers reported no known cases of abuse.
- Employers did not change their business practices:
 - 91% did not reduce hiring.
 - 97% did not reduce employee hours.
 - 94% did not raise prices.

Who Currently has Paid Sick Leave Laws?

- **11 states and D.C.** currently have paid sick leave laws on the books; **2 states** have enacted broad paid time off laws that can cover sick leave:
 - Arizona, California, Connecticut, Massachusetts, Maryland, Michigan, New Jersey, Oregon, Rhode Island, Vermont, and Washington have paid sick leave laws; Maine and Nevada have enacted paid time off laws.
- **22 cities and counties** across the country currently have paid sick leave laws on the books:
 - In New York, this includes New York City and Westchester County.

Paid Sick Leave and New York Temporary Disability Insurance (TDI)/Paid Family Leave (PFL)

- While TDI and PFL can only be used if the worker or a family member has a *serious* health need, paid sick leave can also be used for ordinary illnesses like a cold or the flu.
- While TDI and PFL provide extended leave for serious illness with only partial wage replacement, paid sick leave will provide 5 or 7 days of leave, depending on the size of the employer, at full pay.
- New York is the only state in the country that has a paid family leave law but does *not* have a statewide paid sick leave law.

¹ People without access to paid sick leave are 1.5x more likely to go to work while they have a contagious illness and are nearly twice as likely to send a sick child to school or daycare than those with access to it. Tom W. Smith & Jibum Kim, *Paid Sick Days: Attitudes and Experiences*, Nat'l Opinion Res. Ctr. at U. of Chi. (June 2010), <https://www.issuelab.org/resource/paid-sick-days-attitudes-and-experiences.html>.

² Kevin Miller et al., *Paid Sick Days and Health: Cost Savings from Reduced Emergency Department Visits*, Inst. for Women's Pol'y Res. (Nov. 2011), <http://www.iwpr.org/publications/pubs/paid-sick-days-and-health-cost-savings-from-reduced-emergency-department-visits>.

³ Stefan Pichler & Nicolas R. Ziebarth, *The Pros and Cons of Sick Pay Schemes: Testing for Contagious Presenteeism and Noncontagious Absenteeism Behavior*, Nat'l Bureau of Econ. Res. (Aug. 2016), <https://www.nber.org/papers/w22530.pdf>.

⁴ Kevin Miller et al., *Paid Sick Days and Health: Cost Savings from Reduced Emergency Department Visits*, Inst. for Women's Pol'y Res. (Nov. 2011), <http://www.iwpr.org/publications/pubs/paid-sick-days-and-health-cost-savings-from-reduced-emergency-department-visits>.

⁵ Eileen Appelbaum & Ruth Milkman, *No Big Deal: The Impact of New York City's Paid Sick Days Law on Employers*, Ctr. For Econ. & Pol'y Res. 3-4, 8 (Sept. 2016), <https://cepr.net/images/stories/reports/nyc-paid-sick-days-2016-09.pdf>.