

Congress revisits Healthy Families Act

By: Jennifer Swanberg
Work/life Columnist

"Don't get me wrong, I'm glad I have a job, but at my new job, I have absolutely no paid sick time," says Alicia, a thirty-something, mother of two (4 and 6 years old), who recently started working at a financial services firm after her previous position was down-sized. "At my former job, I would take the time I needed whenever my children were sick or needed to see the doctor."

Alicia, who requested that her name be changed, took the job even though it does not offer sick time. Without it, she will either have to lose pay or use vacation or personal time when she or her children become ill. In addition, Alicia won't have accrued any paid time off at all until she has worked in her new position for three months. If her children become sick during that interval, she'll have to take time off without pay. "I do not want to lose my job, but what happens if one of my kids gets sick? My husband cannot help, his job is inflexible. I'm not sure what we'll do; I can't afford to lose pay."

Alicia is among 59 million U.S. workers who lack paid sick days. The Institute for Women's Policy Research estimates that about 49% of all workers do not have paid sick time, and further analysis suggests that 55% of professional workers, 78% of low-wage workers and 86% of food service or hotel workers go without this work-life benefit.

Without paid sick time, workers are often forced to make decisions that could affect their financial welfare, their children's health or their own well-being. Sam, a retail worker, makes sure that he gets a flu-shot every year. "If I get sick and miss work, I may not be able to pay my bills."

What are working families to do? Within the next year or two it is very possible that all workers will have access to paid sick leave. President-elect Obama supports expanding federal mandates for paid leave for employees. During his campaign, Obama suggested that he would push to require employers to provide seven paid sick days a year for employees who are ill, or who need to care for a sick family member. If Obama moves forward with this initiative, it will be the first time since the passage of the Family Medical Leave in 1993 that the Federal government provides assistance to employees regarding their work and family responsibilities.

Although child and family advocates strongly support government mandates for paid sick leave, businesses — especially small employers — are quite concerned. The business community fears that mandating paid sick days will inhibit employers' ability to offer or customize an array of employee benefits that include a mix of vacation and personal days. Businesses are also concerned about the associated costs with such legislation, especially during a recession.

Nonetheless, Obama's support of mandated paid leave echoes recent U.S. Congressional and state legislative activity. U.S. Congress introduced the Healthy Families Act in 2005 and again in 2007. If passed, The Healthy Families Act will require employers in all states with 15 or more

employees to offer minimal paid sick leave, enabling employees to care for themselves or family members in the event of illness. The current version of the Act sets the following parameters for "minimal" paid sick leave:

- Seven days annually for those who work at least 30 hours per week
- A prorated annual amount for those who work less than 30, but at least 20 hours a week
- A prorated annual amount for those who work less than 1,500, but at least 1,000 hours per year.

Colleagues in Washington who have been lobbying for this bill since it was introduced three years ago are still hopeful it could pass before the close of the second session of the 110th Congress.

As senators and representatives debate this work-life benefit at the federal level, several states and cities have introduced their own version of mandated sick leave. This past November, 69% of Milwaukee voters decided that businesses must provide full-time workers nine days of paid sick leave a year; firms of fewer than 10 employees must provide five days. Milwaukee is the third city, along with San Francisco and Washington, D.C., to mandate paid sick leave. In this past election cycle, eight other state and cities pushed for paid sick leave, and it is expected that three additional states — California, Rhode Island and Montana — will require employers to provide some form of sick leave to workers. Presently there is no published activity in Kentucky to mandate paid sick day.

The current economic situation in the United States will, without doubt, bring numerous challenges to workers, their families and the organizations that employ them. While opponents of paid sick leave argue that this is the worst time for Obama's team to push for paid sick time, advocates argue that policies that support working families are more important now than ever. Employment protections are necessary to ensure that workers' jobs do not impinge on the welfare of their families. Many of Business Lexington's readers likely have access to paid sick time or enough control over their schedule to address personal or family matters. Imagine for a minute the worry you might feel if leaving work to pick up an ailing child meant losing your job and financial security; for many American workers, the lack of this "benefit" means just that.

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