



To: the House Committee on General, Housing, and Military Affairs

Testimony on H.208: Earned Sick Days

Provided by Lindsay DesLauriers  
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on behalf of the VT Paid Sick Days Coalition.

**Members of the VT Paid Sick Days Coalition:**

Voices for Vermont's Children  
Vermont Worker's Center  
Vermont Network Against Domestic and Sexual Violence  
Vermont Federation of Nurses and Other Health Professionals  
Vermont Commission on Women  
Planned Parenthood of Northern New England  
Vermont Public Health Association  
Vermont State Employee's Association  
Vermont Principals' Association  
AFT- VT  
VT NEA  
AFSCME  
AFL-CIO  
Working Vermont  
Vermont Fair Food Campaign  
Peace and Justice Center  
Burlington Business and Professional Women  
Vermont Foodbank  
Hunger Free Vermont  
Community of Vermont Elders  
AARP – VT  
Vermont Low Income Advocacy Council  
Vermont Affordable Housing Coalition  
Central Vermont Community Action Council  
Champlain Valley Office of Economic Opportunity  
Community Action in Southwestern Vermont  
Northeast Kingdom Community Action  
Migrant Justice  
Navicate (formerly Linking Learning to Life)  
Vermont Works for Women  
Afterschool Inc.  
Vermont Council of Special Education Administrators  
National Association of Social Workers, VT Chapter

I would like to begin by calling your attention to the coalition supporting this legislation and by talking about why this is the priority of so many advocacy and direct service groups around Vermont.

If you look at the list of coalition members, you'll see representation from organizations that focus on health, education, low-income advocacy, housing, food security, groups working on behalf of women, children, elders, families, labor, and violence protection.

Additionally, we have and continue to work closely with a large coalition of individual businesses, Vermont Businesses for Social Responsibility, and Burlington Business and Professional Women to ensure that this legislation will create a functional and fair standard for employers.

The breadth of organizations in the coalition is representative of the widespread impact that earned sick days have on working people, both when we have them and, of course, which is why we're here, when we don't.

The most overarching impact of this legislation concerns health – both on an individual and a collective level. I know that Dr. Wilcke is here to discuss these implications so I'll give only the broadest overview.

When an hourly wage worker can't afford to miss a day of work unpaid, they are under enormous pressure to work sick or to send their children to school or child care sick; they are unable to care for elders or chronically ill family members, struggle or are unable to access preventive health care or to ensure that their children and other family members have access to preventive care.

When people are in the workplace or children are in school with contagious illnesses, these illnesses spread more rapidly throughout our community and vulnerable populations are put at greater risk. When people don't access preventive health care or respond to the first signs of illness, illness is more likely to progress and cause greater individual hardship as well as increase costs in the healthcare system more generally.

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Unfortunately, women are more likely than men to have jobs without earned sick days or paid time off of any kind. Women make up two-thirds of minimum wage workers nationwide. And minimum wage jobs are the least likely to provide paid time off.

The workforce has shifted in the past 70 years to include more and more female breadwinners and female heads of household and yet our workplace standards have not adjusted at all. Women continue to disproportionately bear the responsibilities for family life and are much more likely than men to report working part time so that they can manage the demands of family. Half of all women must miss work to care for their children when they are sick compared to 30% of men and half of these working mothers report that they do not get paid when they stay home. 1 in 3 U.S. women and 28 million children live in or on the brink of poverty.

What can we do to address this inequality for women in the workforce? We can build some flexibility into our workplace standards to reflect the fact that the majority of households now have

all adults in the workforce; we can recognize that everyone gets sick and needs to go the doctor or take a family member to the doctor sometimes. We can stabilize the minimum wage by building a tiny bit of flexibility into the system so that mothers can hold full time jobs and progress in the workplace alongside their male counterparts.

96% of single mothers say that earned sick days is the workplace reform that would help them the most.

Who opposes this legislation?

It is far from accurate to say that the business community opposes this legislation because as I mentioned earlier, many VT businesses and VT business groups support and some are even advocating for this bill.

That being said, it is accurate to say that the only opposition to this legislation that I've heard comes from business. Some of the opposition stems from national corporate interests that have a stake in keeping wages low and benefits non-existent, whose concern is not to support Vermont's economy nor to provide a living wage for their employees.

There is also opposition that you will hear from within Vermont's own business community and from employers who I believe are trying to do the best they can by their employees. Many of them will not be personally impacted by this legislation and oppose it as a matter of principle because they do not want to see any more regulations imposed on businesses. I can understand that and it's laudable that they are already voluntarily doing right by their employees and hope and expect that other business owners are the doing same.

Unfortunately we know that not all are – 25% of private sector businesses in VT are not providing any form of paid time off. And because they are not, we must unfortunately require them to do so – in the interest of public health, individual health, people living in poverty, women, children, elders, education, protection for survivors of violence and our tax dollars – because we will see savings in health care costs and in human services.

But there are also businesses, local businesses run by good and responsible business owners who will see an impact with the passage of this legislation. These will be the hardest testimonies for you and the rest of the legislature to navigate. You will hear from employers who do not offer earned sick days or paid time off to their part time employees, to their seasonal employees, to their younger – high school and college age employees. They will tell you and they will believe that they cannot afford to provide benefits to all of their employees so they provide them to those that need them and that the groups of employees that I just mentioned (part-time, seasonal, young adults) neither need nor expect paid time off.

I believe that together, the advocates for this legislation and those more generally who support it or need it or provide it - will make the case that we cannot afford for businesses not to provide it to all of their employees - whether or not their employees expect it or are in a position to demand it.

Let me tell you a story about an employee who didn't expect it or demand it. She works at a Burlington restaurant that both supports this legislation and provides paid sick time. It's not the culture in the restaurant industry to provide paid time off. In fact, from what I hear, the expectation is that if you can stand you can work. Besides that a quite serious public health risk for us all – it is also problematic for those employees when they are unable to come to work for health reasons.

This employee works as a bartender and the funny thing is that when she and I first chatted about this bill, she thought it was superfluous and said that people should suck it up – that that's what it's like in the restaurant industry. She wasn't asking for any favors. About a week later, she broke her wrist and couldn't exactly suck it up to work as a bartender with a broken wrist. She was a new employee at this restaurant and clearly hadn't thought much about the benefits associated with her new job. When she realized that she would be paid for an entire week of absence, she understood why so many of us have been working so hard to ensure this right for all workers in our state.

Restaurants notoriously operate on tight margins. I can speak to this being true from personal experience. My parents owned and operated three restaurants during my childhood. My sister owns the Ice House now and is frankly very nervous about anything that will add costs to her business.

We should all be very worried about this argument because, as I just mentioned, it is not the culture in restaurants to provide earned sick time and food service is arguably one of the most important industries to regulate in this regard. Just last week in the Senate Committee on Economic Development, I heard Commissioner Chen testify that food service is a foundational item that makes up public health and keeps us healthy. He noted that food safety is a continuing challenge in our society and cited alarming facts about food borne illness, including that roughly half of noro-virus outbreaks are related to food handlers being sick.

I'm not sure that the right question is whether restaurants can afford a requirement to provide earned sick days. But let's take that question anyway – How can restaurants afford to provide earned sick days and still stay competitive? The best solution according to Wes Hamilton, the owner of Three Penny Tap Room right here in Montpelier is by implementing this piece of legislation to enforce a culture change, to level the playing field, and make it possible for him to be able to afford it and stay competitive – because everyone else will have to do it too.

Let me put in perspective the enormity of the problem in our restaurant and food service industry – According to the US Bureau of Labor statistics, 71% of employees in food preparation and serving related occupations in New England do not have access to paid sick time.

But back to the question of whether *all* employees really need it. I think that some of the people you will hear from today will tell you no. They will talk about their part-timers who can work around their schedule. They will talk about high school kids with summer jobs or afterschool jobs and college kids waiting tables at night or through the summer. And they will compare these employees to the single mothers that need the time and for whom they do provide it.

You have already heard me tell you why so many women work part time – because they are unable to manage the demands of family and work a full time job. You have already heard me tell you the disproportionate number of women living in poverty. I hope this has already helped to make the case why part-time income is not supplemental.

Now, Let me share a few facts with you about children in Vermont and about college students in Vermont.

- Child poverty rates have gone up 25% since 2007.
- Enrollment in school meal programs has increased by 100% in the last decade.
- The unemployment rate among recent college graduates is high at 8.9% nationally
- 2 out of 3 college graduates complete college with student loan debt.
- Collectively, college graduates now owe more than \$1 trillion in student loans -- more than what all Americans owe on auto loans or even credit card debt. The graduating class of 2010 owed an average of \$25,250 per student
- Vermont ranks 6<sup>th</sup> in the US for the highest student loan debt, with an average of **\$28,391 Owed Per College Graduate**
  - Average Public School Debt: \$27,538
  - Average Private School Debt: \$29,323
  - Percentage of Students Graduating with Student Loans (Public and Private): 66 percent in VT
  - Source: [http://www.huffingtonpost.com/investinganswers/10-states-with-the-most-student-loan-debt\\_b\\_1509500.html](http://www.huffingtonpost.com/investinganswers/10-states-with-the-most-student-loan-debt_b_1509500.html)

Given these figures – it would be wrong to assume that young people’s income is discretionary. Anyone working, regardless of their age, regardless of their sex, regardless of whether it is full time, part time or seasonal employment – every worker should be subject to the same workplace standards as every other worker. And we should not assume that a 20 year old working her way through college, paying for her room and board and going into debt has the flexibility to miss a day of work unpaid.

You will hear from business owners who are afraid of the costs associated with this legislation and you have likely already seen some of the data they cited about the negative impacts on employers in places where this legislation has passed. I know that Dan Barlow from VBSR will provide you with data about the positive impacts, so I will only mention a conversation I had earlier today with John Burbank, the Executive Director of the Economic Opportunity Institute in Seattle, Washington. I asked him about the numbers that VT State Chamber cited concerned the Seattle’s businesses: that 15.7% of employers raised prices, 18.3% reduced hours and staff, and 17.3% increased costs to employees or current benefits or eliminated the benefits they used to offer. Here is what he said:

“This was not a random survey – the survey being cited here was actually a biased survey of employers who responded to a specific request from the Seattle Chamber of Commerce to report on their own experiences with paid sick days. The numbers reflect a bias toward those that were in opposition to paid sick days. In fact, you can see that overall employment has increased in Seattle since the advent of paid sick days, especially employment in low wage industries – and especially

in retail and restaurant jobs - so that it has had no adverse impact on job creation and has not resulted in job loss. It *has* resulted in family economic security because now the 160,000 people in Seattle who did not have earned sick days, now have them and they know that they can take time off to care for their sick children or themselves and that gives them a strong amount of economic security. The Main Street Alliance, an alliance of small business in Washington State has been fully supportive of paid sick days, both advocating for it's adoption and in making sure it's implemented." (end quote)

I'm happy to provide this committee with un-biased studies that look at the impacts of earned sick day legislation in places where it has passed and that take a broad look at those economies after implementation.

After all this talk about the costs to businesses, I hope that I've also given you a taste of the costs that are associated with a failure to move this legislation forward – for all Vermonters, as individuals and collectively.

Thank you for your time.

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