



## Support HB735 / SB698 – Maryland Earned Sick and Safe Leave Act

Everyone gets sick and everyone deserves time to recover without risking their economic stability

### The Urgent Need for Paid Sick Days

- More than four in 10 private-sector workers, and more than 80 percent of low-wage workers, cannot earn paid sick days.
- In Maryland this means more than 700,000 workers are forced to work when they are sick, send an ill child to school or daycare, or stay home, sacrificing much-needed income and risking job loss.

### Marylanders Strongly Support Paid Sick Days

- In a December 2012 Hart Research poll, eighty-two percent of Maryland voters said they would favor a proposal to allow all Maryland workers to earn paid sick days from their employer, based on the number of hours worked, to care for themselves or their immediate family members.

### Paid Sick Days Protect Children and Families

- For the typical family without paid sick days, just 3.5 sick days without pay is equivalent to losing an entire month of groceries. For single-parent families, which are usually headed by women, the situation is even more dire.
- The risk of job loss due to a common illness or the need for routine medical care is even more threatening to African American families' financial security and well-being. In 2011, 28 percent of African Americans were living in poverty. For these families, losing precious income due to illness can mean the difference between getting by and financial devastation.
- Children inevitably get sick and they get better faster when their parents care for them. Parents without paid sick days are more than twice as likely as parents with paid sick days to send a sick child to school or day care, and five times more likely to report taking their child or a family member to the emergency room because they were unable to take time off work during normal work hours.

### Working Women Need Paid Sick Days

- In every corner of Maryland, women care for their families and also bring home a significant share of their household income.
- Two-thirds of all family caregivers are female, yet women-dominated industries are among the least likely to offer paid sick days.
- Forty-three percent of women working in the private sector are unable to take a single paid sick day.
- Twenty percent of women with children report that they or a family member have been fired or disciplined for taking time off to cope with an illness or to care for a family member.
- Nearly one in four American women report physical or sexual abuse by a husband or boyfriend at some point in their lives. Paid safe days protect the paychecks and jobs of victims of domestic violence, stalking, or sexual assault when they need time off to seek assistance.

### Paid Sick Days Improve Public Health

- Workers without paid sick days are more likely to go to work sick, and more likely to delay needed medical care, leading to prolonged illness and costly health problems.
- Between September and November 2009 – the H1N1 flu pandemic's peak months – eight million workers went to work sick, and may have infected seven million of their coworkers.

### Paid Sick Days Benefit Businesses

- Paid sick days benefit employers by reducing turnover.
- Workplaces are healthier when sick workers are able to stay home. The spread of disease slows, workplace injuries decrease, and workplaces are both healthier and more productive.
- "Presenteeism" or workers underperforming because of illness, is estimated to cost employers \$160 billion per year – twice as much as the cost of absenteeism.
- Workers with paid sick days are 28 percent less likely than workers without leave to be injured on the job, according to the National Institute for Occupational Safety and Health at the Center for Disease Control and Prevention.
- Adults without paid sick days are 1.5 times more likely to report going to work with a contagious illness.



## MD Earned Sick and Safe Leave Act – Frequently Asked Questions

### **How will full and part-time workers earn paid sick days?**

- The Earned Sick and Safe Time Act allows all workers to earn a limited number of paid sick days.
- Employees will earn one hour of paid sick time for every 30 hours worked, up to a maximum of 7 full days (or 56 hours) of paid sick leave per year for full-time workers.
- Part-time workers will accrue fewer days per year, depending on the number of hours worked.
- Employees will begin to accrue paid sick time as soon as they begin work.
- Employees already employed on the date the new law takes effect will begin to accrue paid sick days at that time. They will not earn time retroactively.

### **How will the law affect employers who give other paid time off?**

- As long as an employer has a paid leave policy that meets the leave time requirements of the Act, and allows that time to be used for the same purposes and under the same conditions as the Act, the employer is not required to provide any additional leave.
- For example, an employer that provides 10 paid days off a year without categorizing it as vacation or sick leave, and doesn't prohibit employees from taking that leave if they or a family member is sick, will not have to change or alter their current paid leave plan.

### **Can workers carry over unused paid sick days, or receive compensation for unused days?**

- Under the Act, employees may carry over seven days (up to 56 hours) of earned sick and safe time; however, employers are not required to allow workers to use more than 10 paid sick days (80 hours) per year.
- The law does not require financial or other reimbursement to an employee for unused paid sick days upon the employees' termination, resignation, retirement or other separation.

### **How many consecutive days can be taken?**

- Employees can take as much leave as they have earned. However, after three consecutive days, an employer may require documentation showing that the earned sick and safe time has been used for a purpose covered by the Act.

### **What does the law require of employees in terms of giving notice to employers?**

- An employee is required to make an oral or written request to take earned leave as soon as is practicable after the employee is aware of the necessity for leave. The request must comply with an employer's reasonable normal notification policies or call-in procedures and should include the expected duration of the employee's absence.

### **How will the law interact with collective bargaining agreements?**

- Nothing in the law diminishes an employer's obligation to comply with a collective bargaining agreement providing more generous leave policies.
- Collective bargaining agreements will be required to meet the minimum requirements of the law.

### **What does "safe time" mean?**

- "Safe time" will be afforded to employees whomay need to take off work in order to obtain medical attention, victim's services, counseling, relocation, or legal services as a result of domestic violence, sexual assault or stalking.

### **How will the law interact with FMLA?**

- The Act in no ways impacts the federal Family Medical Leave Act.
- The purpose of FMLA is to help families with ongoing, serious health conditions or special caregiving needs, such as birth or adoption. It does not assist with common issues such as the flu or picking up a feverish child from school.