

The Mandatory Sick Leave Controversy and Some Frequently Asked Questions (FAQs)

Earlier this month, the City of Philadelphia narrowly failed to pass a bill that would require private employers with more than six employees to provide mandatory paid sick leave. The measure would have required employers to offer one hour of sick leave for every 40 hours worked, up to a maximum of four days per year for small employers with less than 20 employees, and six or more days per year for larger employers.

If Philadelphia were to pass this bill in the future, it would join a growing number of states and cities which have already passed or are considering similar bills: Connecticut, San Francisco, Washington, D.C., Seattle and Portland, Ore., have already passed the bills; New York City, Massachusetts, and Maryland are considering legislation.

Frequently Asked Questions (FAQs)

Q. Why is the idea of mandating employers to offer employees paid sick leave creating such a debate?

A. *As HR consultants, we can take a look at this from two different perspectives:*

1) Placing more restrictions on businesses and requiring a certain number of paid days off can be a financial burden on a business, particularly for one who is small to medium sized. We find that the concept of paid sick leave is one that most employers already offer through a PTO or other type of vacation and sick time schedule. But the parameters for these programs are usually set by employers, and most will offer them only to full-time employees. With a bill such as the one proposed for Philadelphia, sick time would be earned on actual hours worked, providing paid sick time to part-time employees as well.

2) The other side of the argument is that paid sick time is actually good for business, as it allows employees who are truly sick to stay home, and to stay away from work so as to not infect co-workers and customers. This is particularly important in the healthcare and food industries. By providing paid sick time for employees, cities which have implemented this type of legislation, such as San Francisco, have actually had fewer widespread absences due to illness and have seen some job growth as well.

Q. When was the last time the Paid Sick Leave bill failed in Philadelphia?

A. This is the second time in two years the paid sick leave bill has failed to make it through the approval process in the City of Philadelphia, after Mayor Michael Nutter vetoed the bill. The first attempt was in 2011, when the measure was also vetoed by Nutter.

Q. What was Mayor Nutter's rationale for vetoing the Paid Sick Leave bill?

A. Nutter's reason for vetoing the paid sick leave bill in 2013: Mandatory paid sick leave could cause budget cuts and layoffs, that could hurt "the very workers this bill is intended to help." He also said the measure could potentially affect Philadelphia's ability to compete with the suburbs to attract new businesses.

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Q. Why is New York City’s treatment of this bill considered a “tipping point”?

A. Due to the diversity, and the sheer number of employees in New York City, a successfully implemented paid sick leave program there could prompt action in many of the other cities and states where similar legislation is being considered.

Q. What is the percentage of civilian employees who do not have some type of paid sick leave benefit already in place by their employer?

A. According to the [Bureau of Labor and Statistics](#), 34 percent of civilian employees are not currently eligible for paid sick leave benefits.

No matter what your organization’s perspective is on the matter, this is a key piece of legislation that may either be in place or could be coming to the state or city where you do business. It is important for employers to understand these types of regulations and to be prepared for implementation if needed.

*If you have any questions about how this or any other regulation affects your organization or industry, or if you would like assistance in redesigning your vacation/sick or PTO program to better meet the needs of your organization and employees, please contact Director of Client Services **June Garafano**, SPHR, a 215-654-9140, ext. 404 or jgarafano@proxushr.com.*

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