



Left Behind: Why New Yorkers Need a Strong Paid Sick Leave Bill

Background:

More than 1 million New Yorkers lack paid sick leave.¹ For these workers, taking care of their own health or a sick family member means losing a day's pay—or potentially their job.

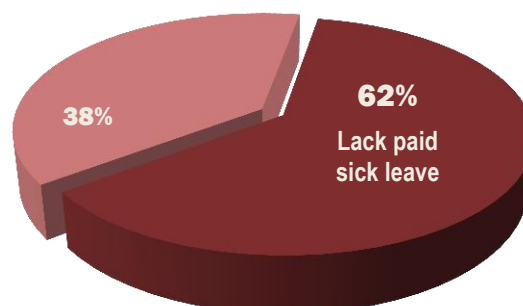
Recent reports indicate that paid sick leave legislation currently stalled in the City Council may be watered down by raising the minimum size of businesses affected.² The current bill requires employers with more than five full-time employees to provide five paid sick days per year. The five-employee minimum would exempt small mom-and-pop shops, and is modeled off a similar threshold used in cities across the country.

Were that threshold raised, hundreds of thousands of New Yorkers would lose guaranteed paid sick days, severely undercutting the reach of legislation. Using census data, this report shows how many New Yorkers would lose the guarantee of paid sick leave if the bill were revised upwards to only apply to businesses with at least 10, 20 or 50 employees, as compared to the bill's current threshold.

"We don't need Paid Sick Leave Lite. And we won't allow hundreds of thousands of hardworking people to be denied a fundamental right because of political expediency."

Public Advocate Bill de Blasio

A majority of low-income workers in New York City—62 percent—are without paid sick leave



Source: Nancy Rankin, "Paid Sick Days: Support Grows for a Work Standard Most Low-Wage Earners Still Lack in New York City." CSS Policy Update (October 2012).

Paid Sick Leave Legislation in Cities Across the Country

Current paid sick leave legislation applies to:

Philadelphia

- ✓ Employers with five or more workers³

Washington, D.C.

- ✓ Employers of all businesses⁵

San Francisco

- ✓ Employers of all businesses⁷

Seattle

- ✓ Employers with five or more workers⁴

Portland

- ✓ Employers with six or more workers⁶

Assessing the Net Impact of Watered Down Legislation

To determine the potential impact of watering down new York City's current paid sick leave legislation, the Office of the Public Advocate analyzed Census data on the number of business establishments by employment size in New York,

Richmond, Bronx, Queens and Kings Counties.⁸

Under the current paid sick leave legislation in New York's City Council⁹, business establishments with fewer than five employees would not be required to provide paid sick leave to their employees.¹⁰ Using this exemption as a baseline, the Public Advocate's office looked at the additional number of workers who would lose the guarantee of paid sick leave if the present legislation is watered down.

If the threshold for paid sick leave coverage is raised to exempt businesses with fewer than *10 employees*, at least **164,00** more workers—roughly equal to the entire population of Ft. Lauderdale, Florida—would not be guaranteed paid sick leave. If the threshold for paid sick leave coverage is raised to exempt businesses with fewer than *20 employees*, at least **384,000** more workers—more people than the entire population of New Orleans—would not be guaranteed paid sick leave. Alternatively, if the threshold coverage is raised to exempt all businesses fewer than *50 employees*, this would result in at least **685,000** additional workers—more than the entire population of Boston—being left without guaranteed paid sick days.

New Yorkers Left Behind if New York City's Current Paid Sick Leave Legislation is Watered Down:

If New York City's Paid Sick Bill is watered down to exempt businesses with fewer than 10 employees ...

 = 10,000 workers

 **164,000 more workers left behind**

Roughly the population of Ft. Lauderdale, Florida!



If New York City's Paid Sick Bill is watered down to exempt businesses with fewer than 20 employees ...

 **384,000 more workers left behind**

Greater than the entire population of New Orleans!



If New York City's Paid Sick Bill is watered down to exempt businesses with fewer than 50 employees ...

 **685,000 more workers left behind**

Greater than the entire population of Boston!



Sources:

¹ “Working While Sick,” New York Times Editorial (August 4, 2012). Also see Nancy Rankin, “Paid Sick Days: Support Grows for a Work Standard Most Low-Wage Earners Still Lack in New York City.” CSS Policy Update (October 2012). Online at http://b.3cdn.net/nycss/c061ce1681b7950b87_nzm6i2o1l.pdf

² David Seifman, “Quinn seeks deal on ailing sick-leave bill.” New York Post (Mch 24, 2013). Online at <http://nyp.st/WKYzEP>

³ <http://www.littler.com/publication-press/publication/philadelphia-most-recent-city-adopt-paid-sick-leave-requirements-some->

⁴ <http://seattlehealthyworkforce.files.wordpress.com/2011/09/publicmemo-paidsickleave-083011.pdf>

⁵ <http://employment.findlaw.com/family-medical-leave/d-c-family-and-sick-leave-law.html>

⁶ <http://everybodybenefitsoregon.org/wp-content/uploads/2012/03/Paid-sick-leave-polling-memo.pdf>

⁷ <http://sfgsa.org/index.aspx?page=419>

⁸ U.S. Census Bureau, 2010 County Business Patterns (NAICS). Online at <http://censtats.census.gov/cgi-bin/cbpnaic/cbpsect.pl>

⁹ Proposed Int. No. 97-A. Accessed at: <http://on.nyc.gov/X4YvRO>

¹⁰ The current City Council legislation defines ‘employee’ as: “defined in labor law §190(2) who is employed for hire within the city for more than eighty hours in a calendar year who performs work on a full-time or part-time basis, including any recipient of benefits under chapter 3 of title 68 of the rules of the city of New York engaged in work as a condition of receiving such benefits, but not including those who are participating in work study programs under 42 U.S.C. §2753.” Proposed Int. No. 97-A. Accessed at: <http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=655220&GUID=8FEF6526-0C00-45D5-BD0B-617353F90F06>