

AAUW CAPITOL HILL LOBBY CORPS
Healthy Families Act
3-8-2007

I. SUMMARY

Message: The Healthy Families Act would guarantee workers seven paid sick days a year. This would benefit 66 million Americans: 46 million would gain access to paid sick days; 19 million would gain paid sick days for leave for doctors' visits and family care; and 1 million Americans would gain additional paid sick days. Please become an original co-sponsor of the Healthy Families Act, which will be introduced by Sen. Kennedy (D-MA) on March 13, 2007.

II. BACKGROUND

Paid Sick Leave

AAUW has long supported flexible workplace policies to address the family responsibilities of employees. Offering workers the option of taking time off when a family member is sick is not just good for families, it's good for business.¹ At least 145 countries worldwide provide paid sick days, with 127 providing a week or more annually. More than 79 countries provide sickness benefits for at least 26 weeks or until recovery.² But many hardworking Americans do not have access to the important benefit of paid sick leave. In fact, just under half (43 percent) of the private sector workforce has no paid sick days.³ Low-wage workers are especially hard hit, with three in four workers without any paid sick days.⁴ Further, 27 percent of low income put off getting health-care because they cannot take time off from work and 18 percent of women at all income levels face this situation.⁵ More than 22 million working women do not have paid sick days,⁶ and as a result half of working mothers report that they must miss work and often go without pay when caring for a sick child.⁷ Lastly, with more than a third of Americans already experiencing significant elder care responsibilities,⁸ coupled with the aging of the baby boomers, the problem is likely to worsen in the years ahead.

Without sick days, employees often come to work ill, decreasing productivity and infecting coworkers. Further, families with children are often confronted with difficult choices. For the 86 million Americans who do not have paid sick days,⁹ a decision to stay home to care for a sick child or family member could jeopardize their job or family income. Elder care responsibilities also affect nearly four in ten adults, and this number is likely to grow higher as nearly two-thirds of Americans under age 60 expect to be responsible for the care of an elderly relative by 2008.¹⁰

For these reasons, AAUW supports legislation like the Healthy Families Act. The bill provides full-time employees with seven paid sick days a year to be used for their own medical needs or to tend to the medical needs of a child, spouse or parent. Part-time employees would receive a pro-rated share of paid sick days.

III. TALKING POINTS

Paid sick days are crucial for working women:

- More than 22 million working women do not have paid sick days.¹¹
- 47 percent of women working in the private sector do not have paid sick days¹²
- In the industries that employ the most women – retail trade and accommodations/food service – almost 9 million women do not have paid sick days.¹³
- 27 percent of low-income women put off getting health-care because they cannot take time off from work. 18 percent of women in all income brackets face this situation.¹⁴

Women are still the primary family caregivers:

- 80 percent of mothers assume primary responsibility in the family for selecting their children's doctor, taking children to doctor's appointments, and arranging for their children's follow-up care.¹⁵
- 40 percent of working mothers lack both sick and vacation leave¹⁶
- 53 percent of working mothers cannot take days off for sick children¹⁷
- Half of working mothers must miss work when their child is sick with a minor illness (such as a cold or ear infection)¹⁸

Americans strongly support paid sick days:

The vast majority of Americans believe that working men and women deserve time off to balance their work responsibilities with their own, and their families' medical needs. According to the Senate HELP committee's research:

- Ninety-five percent of workers think it is "unacceptable" for an employer to refuse to provide sick days.
- Sixty percent of workers believe it is illegal not to provide sick days.
- Nearly half of American private-sector workers do not have paid sick days. Only one in three has paid sick days for doctors' appointments.
- The need is particularly urgent among lower-wage workers. In the lowest quarter of wage earners, 79 percent of workers have no paid sick days.
- Only one in three workers has paid sick days to care for a sick child. This means they must either lose a day's pay or send a child to school sick.

IV. WHAT THIS BILL WOULD DO

The Healthy Families Act would guarantee most workers the right to 7 paid sick days to care for their own medical needs, as well as the medical needs of their families. The bill, which applies to employers with 15 or more employees:

- Guarantees paid sick days for an employee's medical condition; an employee's doctor's appointment, or other preventative or diagnostic treatment; and to care for a family member with comparable needs;

- Provides prorated leave for part-time employees working between 20 and 30 hours a week or between 1,000 and 1,500 hours a year;
- Allows employers to maintain existing policies that meet these standards, and encourages employers to provide greater benefits;
- Allows employers to request certification for leave for employees who request three or more consecutive days. Employers must keep health information confidential and separate from personnel files;
- Requires employers to post notice of the availability of paid sick leave and how to file an enforcement action;
- Allows an employee or the Secretary of Labor to enforce these rights in federal or state court;
- Requires a GAO study of how these paid sick leave policies are implemented and the benefits and costs to employers and employees of the leave.

V. ARGUMENTS

These new requirements would unfairly burden employers and affect businesses productivity.

Similar arguments were lodged against the Family and Medical Leave Act before it was passed. However, in January 2001, the bipartisan Commission on Family and Medical Leave released a study reporting that almost 90 percent of covered employers said that complying with FMLA brought no or minimal increase in their administrative costs.¹⁹ Further, while the vast majority of employers reported the FMLA had no impact on business practices, productivity, and outcomes, some employers reported cost savings associated with lowered employee turnover, as well as improved morale.²⁰

These new requirements would cost employers too much, and affect companies' profits.

Paid sick days produce savings for businesses through decreased turnover and increased productivity. The Institute for Women's Policy Research estimates that the Healthy Families Act would result in a net savings, after covering costs of paid leave, of \$8 billion per year.

VI. STATUS

The Healthy Families Act is scheduled to be introduced by Sen. Edward Kennedy and Rep. Rosa DeLauro (D-CT) on March 13, 2007.

110th Original Co-Sponsors

Sen. Harkin (D - IA)
Sen. Mikulski (D - MD)
Sen. Murray (D - WA)

Sen. Clinton (D-NY)
Sen. Obama (D-IL)
Sen. Durbin (D - IL)

Sen. Feingold (D-WI)
Sen. Lautenberg (D - NJ)
Sen. Sanders (I - VT)

VII. TARGETS

All Democrats (except original co-sponsors), some Moderate R's, including all co-sponsors from 109th Congress

Co-Sponsors from the 109th Congress:

[Sen Akaka, Daniel K.](#) [HI] - 5/19/2005

[Sen Boxer, Barbara](#) [CA] - 5/19/2005

[Sen Clinton, Hillary Rodham](#) [NY] - 9/27/2006

[Sen Corzine, Jon S.](#) [NJ] - 5/19/2005

[Sen Dayton, Mark](#) [MN] - 5/19/2005

[Sen Dodd, Christopher J.](#) [CT] - 5/19/2005

[Sen Durbin, Richard](#) [IL] - 5/19/2005

[Sen Feingold, Russell D.](#) [WI] - 5/19/2005

[Sen Harkin, Tom](#) [IA] - 5/19/2005

[Sen Inouye, Daniel K.](#) [HI] - 1/18/2006

[Sen Kerry, John F.](#) [MA] - 6/28/2006

[Sen Lautenberg, Frank R.](#) [NJ] - 5/19/2005

[Sen Mikulski, Barbara A.](#) [MD] - 5/19/2005

[Sen Murray, Patty](#) [WA] - 5/19/2005

[Sen Schumer, Charles E.](#) [NY] - 5/19/2005

VIII. WHO TO ASK FOR : Labor LA's

¹ Families and Work Institute. *Highlights of the 2002 National Study of the Changing Workforce*, p.29. 2004. <http://www.familiesandwork.org>, as cited in "Get Well Soon: Americans Can't Afford to Be Sick," p. 2. National Partnership for Women and Families. June 2004.

<http://www.nationalpartnership.org/site/DocServer/GetWellSoonReport.pdf?docID=342> Accessed January 19, 2007.

² The Institute for Health and Social Policy. *The Work, Family, and Equity Index: How Does the United States Measure Up?* <http://www.mcgill.ca/files/ihsp/WFEIFinal2007.pdf>. Accessed February 7, 2007.

³ U.S. Department of Labor, Bureau of Labor Statistics. *Employee Benefits in Private Industry, 2006*. <http://www.bls.gov/ncs/ebs/sp/ebsm0004.pdf>. Accessed January 19, 2007.

⁴ Heymann, Jody. *The Widening Gap: Why America's Working Families are in Jeopardy and What Can Be Done About It*, p. 45. Basic Books, 2000.

⁵ Salganicoff, Alina, Usha R. Ranji, and Roberta Wynn. *Women and Health Care: A National Profile*. Kaiser Family Foundation. 2005.

⁶ Institute for Women's Policy Research, *Women and Paid Sick Days: Crucial for Family Well-Being*, p.1. Table 1. 2006

⁷ Kaiser Family Foundation. "Women, Work and Family Health: A Balancing Act." Issue Brief, April 2003. <http://www.kff.org/womenshealth/loader.cfm?url=/commonspot/security/getfile.cfm&PageID=14293> Accessed January 19, 2007.

⁸ Families and Work Institute. *Highlights of the 2002 National Study of the Changing Workforce*, p. 29. 2004.

⁹ Lovell, Vicky. "No Time to be Sick: Why Everyone Suffers When Workers Don't Have Paid Sick Leave," p. ii. Institute for Women's Policy Research. May 2004.

¹⁰ Families and Work Institute. *Highlights of the 2002 National Study of the Changing Workforce*, p.29. 2004. <http://www.familiesandwork.org>.

¹¹ Institute for Women's Policy Research analysis of the March 2006 National Compensation Survey, the November 2005 through October 2006 Current Employment Statistics, and the November 2005 through October 2006 Job Openings and Labor Turnover Survey.

¹² Ibid.

¹³ Ibid.

¹⁴ Salganicoff, Alina, Usha R. Ranji, and Roberta Wyn. 2005. *Women and Health Care: A National Profile*. Melona, Ca: Kaiser Family Foundation.

¹⁵ Salganicoff, Ranji, and Wyn 2005.

¹⁶ Heymann, Jody S. 2000. *The Widening Gap: Why America's Working Families are in Jeopardy and What Can Be Done About It*. New York: Basic Books.

¹⁷ Wyn, Roberta, and Ojeda, Victoria. 2003. *Women, Work, and Family Health: A Balancing Act*. Melona, CA: Kaiser Family Foundation.

¹⁸ Ibid.

¹⁹ National Partnership for Women and Families. All statistics were compiled from the U.S. Department of Labor report, *Balancing the Needs of Families and Employers: Family and Medical Leave Surveys 2000 Update*. <http://www.nationalpartnership.org/portals/p3/library/FamilyMedicalLeave/FMLAWhatWhoHow.pdf>. Accessed January 5, 2007.

²⁰ U.S. Department of Labor, Bureau of Labor Statistics. *The 2000 FMLA Survey Report*. Table A2-6.12 and A2-619. <http://www.dol.gov/esa/whd/fmla/fmla/APPX-A-2-TABLES.htm> Accessed January 12, 2007.