



Testimony of Debra L. Ness
For U.S. Senate Committee on Health, Education, Labor and Pensions
Hearing on the Healthy Families Act
February 13, 2007

Good morning. Chairman Kennedy, Senator Enzi, and members of the Committee: thank you for the opportunity to testify here today. I am Debra Ness, President of the National Partnership for Women & Families, a non-profit, nonpartisan advocacy organization with more than 35 years of experience promoting fairness in the workplace, access to quality health care, and policies that help women and men meet the competing demands of work and family.

I am here to testify in support of the Healthy Families Act, a groundbreaking piece of legislation to guarantee workers seven paid sick days annually to recover from their own illness or care for a sick family member. Congress should waste no time in passing this bill, which is tremendously important to people all across our country.

The reason is simple. Chances are each of us will get sick or need to care for a sick family member this year. But not all of us have the option to take time off from work to get better. In the U.S. today, nearly half (48%) of private sector workers do not have a single paid sick day to use for themselves or to care for a family member.¹ The situation is even more grim for low-income workers: three in four (76%) have no paid sick days at all.² And 86 million hard-working Americans do not have a single paid sick day they can use to care for a sick child.³

Let's put a face on some of those statistics:

- Robbie Bickerstaff was fired after leaving work to take her son, who had been hit by a car, to the emergency room so doctors could set his broken arm. Her son understood the risk and refrained from calling her after the accident, because he did not want her to lose her job. It turns out that he was right to worry.
- In three years working at a fast-food restaurant, Connie Smith never took a sick day – until she got the stomach flu. After vomiting at the restaurant, she told her supervisor that she simply had to go home. He ordered her to finish her shift, which ended at 4 AM. She did, exposing every customer she served to the flu.
- Donetta Renee Parish reported to work at a DC grocery store with a severe ear infection because she could not afford to take unpaid leave. She was later written up for missing work when she stayed home to care for her 2 ½ year old son who had had a seizure.

Currently, no state or federal law ensures that workers have paid sick days when they need them. You can change that by passing this bill. The National Partnership is leading a coalition in support of the Healthy Families Act – a coalition that includes children's, civil rights, women's,

¹ Vicky Lovell, *No Time to be Sick: Why Everyone Suffers when Workers Don't Have Paid Sick Leave*, Institute for Women's Policy Research, May 2004.

² Lovell, *No Time to be Sick*.

³ Lovell, *No Time to be Sick*.

disability, faith-based, community and anti-poverty groups as well as labor unions, health agencies and leading researchers at top academic institutions. It includes 9to5, ACORN, the Leadership Conference on Civil Rights, AFL-CIO, National Organization for Women, and numerous other large, well-respected organizations. We have come together in support of this bill because millions of Americans are being forced to choose between taking care of a sick child or family member and losing a day's pay – or even losing a job. In a nation that values families, no worker should have to make this impossible choice.

Americans want to be responsible workers *and* be able to care for their families. In 78% of today's families, both parents work for pay – and the typical couple in America now works close to 90 hours per week. But our policies lag desperately behind – and families are struggling as a result. We can and must do better – and we will, if we truly value families.

Coalitions are working in cities and states across this country to pass measures similar to the Healthy Families Act, and they are making progress. But we urgently need a national standard. America needs you to make passage of the Healthy Families Act a priority for this Congress.

Lack of Paid Sick Days Hits Low-Wage Workers Hardest

When a low-wage worker gets sick, or needs to take care of a sick child or take an elderly parent to a medical appointment, he or she is faced with an impossible choice: lose a day of pay and possibly even your job, or take the time you need to take care of your family. Half of low-wage working parents report losing pay to stay home and care for a sick child or being forced to leave children home alone.⁴ In the wealthiest nation in the world, these are choices no parent should have to make.

Low wage workers typically have little or no savings to fall back on when they need time off but have no paid sick days. For example, a recent survey of New York residents found that 71% of low-income workers report having less than \$500 in savings, and 52% of those workers report having less than \$100 in savings.⁵ When sick workers have little savings, they are especially vulnerable to extreme financial crises and even bankruptcy. One study found that nearly two million Americans experience medical bankruptcy annually, even though 75% of those surveyed had health insurance at the onset of illness. Respondents reported that illness and medical bills were the cause of 46.2 percent of their personal bankruptcies.⁶

Paid Sick Days are Good for Children

Children inevitably get sick. On average, school-age children miss at least 3 school days per year due to health issues, and younger children have even higher rates of illness.⁷ Providing workers with paid sick days that can be used to care for a sick child has a positive impact on children's health. Studies show that children recover from illness faster when their parents care for them,⁸ and that having paid time off is a primary factor in a parent's decision to stay home when a child

4 Jody Heymann, *Forgotten Families*, Oxford University Press, 2006.

5 Community Service Society and Lake Snell Perry & Associates, *The Unheard Third 2005: Bringing the Voices of Low-Income New Yorkers to the Policy Debate*, 2005.

6 David Himmelstein, Elizabeth Warren, Deborah Thorne, and Steffie Woolhandler, *Illness and Injury As Contributors to Bankruptcy*, Health Affairs Market Watch, 2 February 2005.

7 Vicky Lovell, *No Time to be Sick*.

8 S.J. Heymann, Alison Earle, and Brian Egleston, 1996, as cited in Lovell, *Paid Sick Days Improve Public Health by Reducing the Spread of Disease*, Institute for Women's Policy Research, 2006.

is sick.⁹ Having access to paid sick days also increases the likelihood that working parents can take children for the preventive care and well-child visits that can help keep kids from getting sick or forestall more serious illness.

Paid Sick Days Help Workers Care for Older Relatives

Many workers today care for an older relative, and many more will be caring for them in the near future as Baby Boomers age. In 2000, 12.6% of the population was over 65 years old; by 2030, Americans over age 65 will comprise 20% of the population.¹⁰ Studies have shown that more than a third of Americans (35%), both women and men, have significant eldercare responsibilities, and many are forced to reduce their work hours or take time off to provide care.¹¹ Providing access to family-flexible sick leave is a critical strategy for helping working families deal with the needs of their aging relatives.

Women are Disproportionately Impacted by the Lack of Paid Sick Days

The lack of paid sick days has a significant impact on working women, and is particularly threatening to women's economic security. Women are still predominantly responsible for family caretaking. Many working women have children, and one in three has additional caretaking responsibilities for an elderly relative, a person with a disability, or a special need child.¹²

Staggering statistics demonstrate the hardship that can be associated with women's caretaking responsibilities: half of working mothers miss work when a child comes down with a common illness.¹³ Many of these women—two-thirds of low-income mothers and one-third of middle and upper income mothers¹⁴—lose pay to care for their sick children. That is a significant financial blow for many low- and moderate-income women and their families.

Because women are more likely to work part-time (or full-time by cobbling together more than one part-time position), they are less likely to have paid sick days. Only 16% of part-time workers have paid sick days, compared to 60% of full-time workers.¹⁵ Accommodation and food service industry workers, the majority of whom are women (53%) have almost no paid sick time.¹⁶ Women also are disproportionately represented among low-wage workers, the population least likely to have access to paid sick days: 59% of minimum wage workers are women.¹⁷

Further, women's dual commitments to work and family can negatively affect their career paths and income stability if they lack paid sick days they can use to care for family members. One study found that being female doubles the chance of experiencing job loss because of family illness.¹⁸

9 Jody Heymann, *The Widening Gap*.

10 Department of Health and Human Services, Administration on Aging, *Statistics on the Aging Population*, 2006.

11 Families and Work Institute, *Highlights of the 2002 National Study of the Changing Workforce*, 2002.

12 Jody Heymann, *The Widening Gap: Why America's Working Families Are in Jeopardy—and What Can Be Done About It*, Basic Books, 2000.

13 Kaiser Family Foundation, *Women Work and Family Health: A Balancing Act*, Issue Brief, April 2003.

14 Kaiser Family Foundation, *Women, Work and Family Health: A Balancing Act*.

15 Vicky Lovell, *No Time to be Sick*.

16 Lovell, *No Time to be Sick*.

17 Economic Policy Institute, *Minimum Wage Issue Guide*, http://www.epi.org/content.cfm/issueguides_minwage 2007.

18 Spilerman and Schrank, *Responses to the intrusion of family responses in the workplace*, *Research in Social Stratification and Mobility*, 10, 27-61, 1991.

Older Workers Need Paid Sick Days, Too

Roughly half of Americans 65 years or older participate in the labor force,¹⁹ and this number is expected to increase as the number of older Americans increases and more workers delay retirement for economic or other reasons. Many of these workers will require time away from work to care for their own health or to care for an older spouse or other family member.

Establishing a Minimum Standard of Paid Sick Days is Good for Public Health

Paid sick days are essential to ensuring that workers don't have to risk their own or the public's health because they can't afford to take a sick day. The U.S. Centers for Disease Control and Prevention (CDC) strongly urges us to stay home from work, school, and social gatherings when we are sick and, not surprisingly, the CDC encourages parents to keep sick children home from school and daycare to avoid the spread of illness.²⁰ But workers without paid sick days don't have the option to do so, and we all suffer as a result.

Workers in direct contact with the public every day are the least likely to have paid sick days. Eighty-five percent of food and public accommodation workers have no paid sick days, and most workers in child care centers, retail, and nursing homes also lack paid sick days.²¹ Nobody wants a sick worker sneezing in their food, passing illness at the store, or infecting children and seniors. We want sick children to recover at home and not infect other children at school or in day care. We are all at risk when workers cannot stay home when they are sick or need to care for a sick child or family member.

Giving workers paid sick days makes it possible for them to seek the medical help they or a family member needs. It also removes a key barrier to health care access, making it possible for them to seek preventive care. Preventive care is key to improving workers' overall health and decreasing the number of avoidable hospitalizations, thus decreasing health care costs. Many people with chronic illnesses such as asthma or diabetes could avoid hospitalization if they were able to attend outpatient visits to manage their conditions

Paid Sick Days are Good for the U.S. Economy

Providing paid sick days for workers produces benefits beyond those that accrue to individual workers, children and seniors, or even our national public health. Healthy workers are critical to a productive and vibrant economy. Employers and our economy would benefit substantially if workers had seven paid sick days annually.

Sick workers in the workplace inevitably hurt more than they help. Ill workers who have no paid sick days go to work sick and spread illness to colleagues, lowering the overall productivity of the workplace. More than half (56%) of human resources executives report that "presenteeism" – employees' practice of coming to work even though they are sick – is a problem in their companies.²² Studies have shown that presenteeism costs our national economy \$180 billion in

¹⁹ AARP Public Policy Institute, *Update on the Aged 55+ Worker*, 2005.

²⁰ Centers for Disease Control and Prevention, <http://www.cdc.gov/flu/symptoms.htm> and <http://www.cdc.gov/flu/professionals/infectioncontrol/childcaresettings.htm>

²¹ Lovell, *No Time to be Sick*.

²² CCH Incorporated, *2006 CCH Unscheduled Absence Survey*, October 2006.

lost productivity annually.²³ When workers are guaranteed a minimum number of paid sick days, employers benefit as healthier workers are more productive and the spread of illness in the workplace is reduced.

Employers reap the savings from reduced turnover as well. Turnover-related costs (which include advertising for, interviewing, and training replacements) are substantial, generally far greater than the cost of providing paid sick time to retain existing workers. A cost-benefit analysis of the Healthy Families Act demonstrates that if workers had just seven paid sick days per year, our national economy would experience a net savings of \$8.2 billion per year due to reduced turnover, higher productivity, and reduction in the spread of contagion in the workplace.²⁴

The United States lags far behind the rest of the world in providing paid leave benefits. A recent study by Dr. Jody Heymann of Harvard and McGill Universities highlights just how far the U.S. lags behind other nations including those with some of the strongest economies in the world: at least 145 nations provide paid leave for short- or long-term illnesses, and 127 of those nations guarantee a week or more of paid sick days per year to their workforce. The benefits of paid leave are provided to workers in every one of the top ten most economically competitive nations in the world, with the glaring exception of the U.S.²⁵

Also of note, just last fall the World Economic Forum announced its annual economic rankings, and the United States had fallen from first to sixth.²⁶ The nations ranked above the U.S. all guarantee some paid sick time to their workers.

We are familiar with the arguments against establishing minimum labor standards that provide workers paid sick days, because we heard them all in the fight to enact the FMLA. We are convinced that they are specious scare tactics; there are simply no objective studies that conclude that giving workers good working conditions leads to job loss or that these protections are in any way linked to higher unemployment rates.²⁷ The statistics, and the experience of other economic powerhouse nations, clearly demonstrate that these arguments are not based in reality.

The Public Overwhelmingly Supports Paid Sick Days

The likelihood of being sick – or of having a child who will get sick – does not depend on whether you live in a blue or a red or a purple state, so establishing a minimum standard of paid sick days deserves bipartisan support. Poll after poll has found tremendous support for paid sick days and proposals like the Healthy Families Act. For example, seven in ten New York City residents across income lines believe there should be a law that requires employers to provide full-time workers at least seven days of paid sick time annually.²⁸ Nine out of ten Maryland voters believe that every full-time worker should have paid sick days. Similarly, 85 percent of respondents in a national poll support the use of paid sick days to care for children and parents

23 Ron Goetzal et al., *Health Absence, Disability, and Presenteeism Cost Estimates of Certain Physical and Mental Health Conditions Affecting U.S. Employers*, Journal of Occupational and Environmental Medicine, April 2004.

24 Vicky Lovell, *Valuing Good Health: An Estimate of Costs and Savings for the Healthy Families Act*, Institute of Women's Policy Research, 2005.

25 Jody Heymann, Alison Earle, and Jeffrey Hayes, Project on Global Working Families, *The Work, Family, and Equity Index: How Does the United States Measure Up?*, 2007.

26 Steven Pearlstein, No Longer No. 1, and No Wonder, The Washington Post, Sept. 27, 2006, D10.

27 Jody Heymann, Alison Earle, and Jeffrey Hayes, Project on Global Working Families, *The Work, Family, and Equity Index: How Does the United States Measure Up?*, 2007.

28 Community Service Society and Lake Snell Perry & Associates, *The Unheard Third 2005: Bringing the Voices of Low-Income New Yorkers to the Policy Debate*, 2005.

who are ill.²⁹ A recent poll by the National Council for Research on Women showed that women are five times more likely to vote for a candidate who favors guaranteed paid sick days.³⁰

Conclusion

This debate is really about what we value in this nation. If we want strong families and a strong economy, if we care about the health, well-being and economic security of our families, we will waste no time in passing the Healthy Families Act.

Guaranteeing access to paid sick days is the next step in the effort to put our desperately outdated workplaces back in sync with the realities of families. Paid sick days are the next minimum labor standard the nation needs.

Momentum is building. The National Partnership for Women & Families is working with concerned citizens around the country who are pressing for paid sick days. San Francisco voters overwhelmingly approved the country's first paid sick days ordinance in November. Thus far in 2007, paid sick days bills have been introduced in legislatures in Connecticut, Florida, Maine and Massachusetts and will be introduced in the District of Columbia, Maryland, Minnesota, Montana, Vermont, Wisconsin, and the City of Madison in coming months. These initiatives are important, but we need even more. Every American needs paid sick days. The time has come to enact a law that provides paid sick days for all workers: the Healthy Families Act.

Mr. Chairman, members of the Committee, I thank you for the opportunity to participate in this important discussion.

²⁹ Job Opportunities Task Force and Gonzales Research & Marketing Strategies, Statewide Survey, 2006.

³⁰ The National Council of Research on Women Poll, 2006.