



**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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February 22, 2018

To: The Honorable Sylvia Luke, Chair,
The Honorable Ty J.K. Cullen, Vice Chair, and
Members of the House Committee on Finance

Date: Thursday, February 22, 2018

Time: 1:30 p.m.

Place: Conference Room 308, State Capitol

From: Leonard Hoshijo, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. NO. 1727 HD1 RELATING TO LABOR

I. OVERVIEW OF PROPOSED LEGISLATION

This proposal adds paid sick leave through a new chapter to the Hawaii Revised Statutes (HRS), requiring employers subject to the Fair Labor Standards Act (FLSA) to provide 40 hours of paid sick leave to be used during absences due to the employee's illness or need for preventive medical care, to care for a family member who is ill or needs preventive medical care, or during a public health emergency. Employees shall accrue sick leave up to 40 hours in a calendar year, unless the employer provides a higher limit.

The chapter shall not apply to employers who have a sick leave policy paying more sick leave than the chapter requires, pay employees \$1.65 more than minimum wage beginning July 1, 2019, \$3.15 more than the minimum wage beginning July 1, 2020; \$4.90 more than minimum wage beginning July 1, 2021, or employ fewer than 50 employees.

DLIR offers comments on the measure.

II. CURRENT LAW

In Hawaii, paid sick leave is not required but could be used to meet the requirements of the Temporary Disability Insurance (TDI) law in which case the

sick leave can be used for the worker's own sickness, but not for the worker to care for other persons.

Under §388-7(3), Hawaii Revised Statutes (HRS), the Payment of Wages and Other Compensation Law, employers that provide vacation and sick leave benefits are required to make their policies available to employees in writing or through a notice posted in a place accessible to the employees. The employer's policy determines the criteria to earn and use these benefits.

The Hawaii Family Leave Law (HFLL), Chapter 398, HRS, provides four weeks of protected leave, not necessarily paid, for employees of employers with 100 or more employees, on the birth or adoption of a child or to care for a family member who is seriously ill. Unlike the federal Family and Medical Leave Act, §398-3, HRS, of the Hawaii Family Leave Law does not allow an employee to take leave for the employee's own serious health condition.

III. COMMENTS ON THE HOUSE BILL

The definition of "employer" under FLSA is very broad and generally includes employers with an annual gross income of at least \$500,000 or employers involved in inter-state commerce, which includes federal government employees. The State does not have jurisdiction over federal employees unless specifically provided by the United States Codes, therefore, DLIR recommends changing the definition of "employer" to exclude federal employees.

The measure does not include a provision for enforcement. DLIR recommends inserting a provision for an employee remedy through a private right of action.

The bill could also cause conflict for employers who choose to use their sick leave plans to fulfill part or all of the TDI requirement. Under a TDI plan that uses sick leave as the entire TDI benefit, the employee must maintain a minimum amount of sick leave for the employee's own disability. The employer is required by §392-41(b)(2), HRS, to allow an employee to use only the amount of sick leave in excess of the TDI statutory equivalent for family leave purposes.

The latest data from the Research & Statistics Office (Dec. 2016, excludes government) indicates the following:

- 1,622 employers out of 31,438 had 50 or more workers
- These employers employed 362,465 out of 533,623 non-government workers

DLIR notes that the relationship of the proposed sick leave and other benefits provided under various laws may be subject to the requirements of the Employee Retirement Income Security Act (ERISA).

DAVID Y. IGE
GOVERNOR



RYKER WADA
INTERIM DIRECTOR

JASON MINAMI
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

February 20, 2018

TESTIMONY TO THE
HOUSE COMMITTEE ON FINANCE
For Hearing on Tuesday, February 22, 2017
1:30 p.m., Conference Room 308

By

RYKER WADA
INTERIM DIRECTOR

House Bill No. 1727 H.D.1
Relating to Health

(WRITTEN TESTIMONY ONLY)

CHAIRPERSON LUKE, VICE-CHAIR CULLEN AND MEMBERS OF THE
COMMITTEE:

Thank you for the opportunity to provide testimony on H.B. 1727 H.D.1.

H.B. 1727 H.D.1 requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care.

The Department of Human Resources Development provides **comments** H.B. 1727 H.D.1 to the extent that it applies to public sector employees.

Most public sector employees are already afforded generous vacation and sick leave benefits which can be utilized for the purposes of caring for themselves or a family member who is ill or needs medical care. It is therefore unnecessary to include public employees within the scope of this bill.

In addition, this bill would provide paid sick leave to employees who are hired to supplement the Executive Branch's regular workforce (e.g., 89-day hires, part-time intermittent workers, casual hires, event workers, etc.). These employees are typically hired on an as-needed basis. The estimated impact of providing up to seven paid sick leave days to these short-term employees may be in excess of \$500,000.

H.B. 1727 H.D.1 also appears to be in conflict with existing law. Act 253, SLH 2000, removed routine human resource policy and management matters from civil service laws and included the enactment of HRS Section 78-23. That section specifically provides that employees "shall be eligible for vacation leave, sick leave, and other leaves of absence, with or without pay, as negotiated under chapter 89 or adjusted under chapter 89C, as applicable." H.B. 1727 H.D.1 accordingly attempts to legislate in an area that is required by statute to be a mandatory subject of negotiation.

Given the foregoing, we recommend that H.B. 1727 H.D.1 be held or amended to expressly exclude public employees from its coverage.

DEPARTMENT OF HUMAN RESOURCES
CITY AND COUNTY OF HONOLULU

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KIRK CALDWELL
MAYOR



CAROLEE C. KUBO
DIRECTOR

NOEL T. ONO
ASSISTANT DIRECTOR

February 22, 2018

The Honorable Sylvia Luke, Chair
The Honorable Ty J.K. Cullen, Vice Chair
and Members of the Committee on Finance
The House of Representatives
State Capitol, Room 308
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chair Luke, Vice Chair Cullen, and Members of the Committee:

**SUBJECT: House Bill No. 1727, HD 1
Relating to Labor**


House Bill 1727, HD 1 requires employers to provide a minimum amount of paid sick leave to employees, including time for family care. The City and County of Honolulu, Department of Human Resources, respectfully opposes this bill to the extent that it creates ambiguity as to whether it applies to public sector employees.

The City is concerned that HB 1727, HD 1 involves a matter that is subject to collective bargaining, and therefore, should not be legislated. Public sector employees are already entitled to generous leave provisions which have been negotiated into the respective collective bargaining agreements. Our employees are given 21 days of sick leave and 21 days of vacation per year, which may be used for purposes described in this bill. In addition, City employees are sufficiently covered by Federal and State laws which afford them time off to care for themselves and their family members.

For public sector employees, the entire subject of sick leave should remain exclusively a subject of collective bargaining. The City respectfully requests that HB 1727, HD 1 be amended to explicitly exclude public sector employees.

Thank you for the opportunity to testify.

Sincerely,


for Carolee C. Kubo
Director

IBEW1260

‘A‘OHE HANA NUI KE ALU ‘IA

February 22, 2018

The Twenty-Ninth Legislature
Hawaii State House of Representatives
Committee on Finance

HB1727 - RELATING TO LABOR

Chair Luke, Vice Chair Cullen and Members of the Committee,

The International Brotherhood of Electrical Workers Local Union 1260, AFL-CIO (IBEW1260), represents more than 3500 members, has advocated for all workers in the State of Hawaii for over seventy-five years and respectfully offers the following testimony in **STRONG SUPPORT** of House Bill 1727 (HB1727).

While IBEW1260 members are fortunate enough to be covered by a collective bargaining agreement providing in many cases generous amounts of paid sick leave, many of Hawaii's workers, over forty percent, are not afforded the same benefit. As a result, these workers are required to choose between providing for their families or working while sick and enduring a loss of income to recuperate.

Support of HB1727 will allow these workers, many of whom are low-income earners, the ability to stay at home and recover without loss of income. Additionally, children of working families who are ill will be able to remain home being cared for by their parents. IBEW1260 encourages this committee to **SUPPORT HB1727** as paid sick days will improve the quality of life for many families ultimately leading to a healthier Hawaii.

Mahalo for the opportunity to testify on this issue.

Respectfully,



Michael M. Brittain
Asst. Business Manager
IBEW1260 / AFL-CIO



HAWAII APPLESEED

CENTER FOR LAW & ECONOMIC JUSTICE

Comments of Hawai'i Appleseed Center for Law and Economic Justice
Pertaining to HB 1727 HD1 -- Relating to Labor
House Committee on Labor & Public Employment
Scheduled for hearing Thursday, February 22, 2018, 1:30 PM, Conference Room 308

Dear Chair Luke, Vice Chair Cullen and members of the Committee:

Thank you for the opportunity to provide comments on **HB 1727 HD1**, which would require employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care, or due to a public health emergency.

Hawai'i Appleseed supports strong paid sick days legislation, as low-income workers are the most likely not to already have paid sick days as well as to have the greatest financial need for them.

According to the National Partnership for Women and Families, nine states, the District of Columbia, and a county of over a million people have passed paid sick leave laws. None of those jurisdictions exempt employers who pay their employees a certain amount above the minimum wage, as is seen in this bill, effectively excluding a majority of workers in this state from its requirements.

All 11 of the above-mentioned jurisdictions also permit workers to begin accruing paid sick leave on the first day on the job. In contrast, this bill would require employees to work more than 680 hours (over 4 months of full-time employment) in a year in order to accrue paid sick days. This would mean that many workers – especially part-time and those who string together multiple part-time jobs – would not get meaningful access to paid sick leave.

This bill would also exempt workplaces with fewer than 50 employees. Of the above-referenced 11 jurisdictions, as well as dozens of cities with paid sick leave laws, only one excludes as many workers.

One of the most important benefits of paid sick leave laws are the protection of consumers and the general public from contagious illnesses, such as the flu, that are often spread by service workers who, without paid sick days, have no choice but to work while sick. This bill excludes so many workers that its effectiveness in helping address a public health emergency would be seriously undermined.

This bill also would give employers the discretion to decide how they would allow their employees to take this leave. This would provide with employees no clear path for recourse in the event that they were not allowed to take the paid sick leave that they earned. Without adequate definitions and parameters, the implementation of this law would be confusing and very difficult to enforce.

We appreciate your consideration of these comments.

The Hawai'i Appleseed Center for Law and Economic Justice is committed to a more socially just Hawai'i, where everyone has genuine opportunities to achieve economic security and fulfill their potential. We change systems that perpetuate inequality and injustice through policy development, advocacy, and coalition building.

February 22, 2018

To: Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair
House Committee on Finance

From: Mandy Finlay, Director of Public Policy
Hawaii Children's Action Network

Re: **HB1727, HD1 – Relating to Labor**
Hawaii State Capitol, Room 308, February 22, 2018, 1:30 PM

On behalf of Hawaii Children's Action Network (HCAN), we are writing to offer comments on HB1727, HD1– Relating to Labor.

HCAN is in strong support of sick leave policies to support families. Ten states and Washington D.C. now have comprehensive sick leave laws (see attached table). Hawaii should ensure that ALL workers have access to sick leave.

We request that this bill be amended so that:

- 1) Accrual begins at commencement and may be used 90 days after commencement of employment.
- 2) Sick leave is provided to employees at all companies, not just large ones.
- 3) There is an enforcement mechanism including private right of action.

Sick leave policies make economic sense not just for the employee but also for the employer. These policies provide the employee job security, better health, less stress, and more satisfaction with their job while reducing costs for employers by eliminating the need to replace workers and sickness of additional workers. An Oxfam America survey of low-wage working mothers found 19 percent reported losing a job because they were sick or they had to care for a sick child. It is estimated that 63% of young children in Hawaii have working parents with 31% of Hawaii's children living in single parent households.

According to the US Department of Labor:

- Four in ten private sector workers, over 40 million people, do not have access to paid sick time.
- Seven in ten low-wage workers whose earnings are in the bottom 25 percent of earners, lack access to paid sick time.
- For those employed in the accommodation and food services industries, 75 percent must choose between losing pay and showing up to work sick or leaving a sick child at home alone.
- Without sick leave, workers are more likely to go to work and infect others. A recent survey of food workers showed that nearly 90 percent went to work when they were sick, including more than half who did so "always" or "frequently." And of those who worked while sick, almost half (45 percent) reported going to work sick because they could not afford to lose pay.



Paid Sick Days – State, District and County Statutes

Updated January 2018

(For City Laws, Click [Here.](#))

Key:

EE: employee; **ER:** employer; **SB:** small business; **LB:** large business; **FTE:** full-time equivalent; **DV:** domestic violence; **SAFE:** safe time coverage; **PHE:** public health emergency; **CBA:** collective bargaining agreement

Location	District of Columbia (2008, amended 2013) (effective 2014)	Connecticut (2011) (effective 1/2012)	California (2014, amended 2015 and 2016) (effective 7/2015; 2016 expansion effective 7/2018)	Massachusetts (2014) (effective 7/2015)	Oregon (2015) (effective 1/2016)¹	Montgomery County, Md. (2015) (effective 10/2016)	Vermont (2016) (effective 1/2017 for LB, and 1/2018 for SB)	Arizona (2016) (effective 7/2017)	Washington (2016) (effective 1/2018)	Rhode Island (2017) (effective 7/2018)	Maryland (2018) (effective 2/2018)
Summary	EEs accrue one hour of paid sick time for every 37 to 87 hours worked and can accrue and use up to three to seven days, depending on ER's size. EEs in certain industries receive one hour for every 43 worked	Enumerated EEs whose place of business has 50 or more EEs accrue one hour of paid sick time for every 40 hours worked and can accrue and use up to 40 hours. Covers sick time for EE or family members' care and for absences associated with domestic	EEs accrue one hour of paid sick time for every 30 hours worked and can use up to 24 hours and accrue up to 48 hours. ERs may use alternate accrual method if accrual is regular and provides a sufficient amount of time. Beginning in 2018, in-home supportive services EEs accrue	EEs whose place of business has 11 or more EEs accrue one hour of paid sick time for every 30 hours worked and can accrue and use up to 40 hours. All others receive equivalent unpaid time. Covers sick time for EE or family members' care and for absences associated with EE	EEs whose place of business has 10 or more EEs (six or more EEs if ER is in a city with population above 500k, so that Portland's law remains in effect) accrue one hour of paid sick time for every 30 hours worked, and can accrue and use up to 40 hours. All others receive equivalent unpaid	EEs whose place of business has five or more EEs accrue one hour of paid sick time for every 30 hours worked and can accrue up to 56 hours and use up to 80 hours. All others receive an equivalent 32 paid and 24 unpaid hours. Covers sick time for EE or family members' care, absences	EEs accrue one hour of paid sick time for every 52 hours worked and can accrue or use up to 24 hours in 2017 and 2018, and 40 hours in 2019 and following years. Workers in small businesses begin to accrue and use time in 2018. Covers sick time for EE or family members' care (including long-term care appointments	EEs accrue one hour of paid sick time for every 30 hours worked. EEs whose place of business has 15 or more EEs can accrue and use up to 40 hours per year. All others can accrue and use up to 24 hours per year. Covers sick time for EE or family members' care,	EEs accrue one hour of paid sick time for every 40 hours worked. Covers sick time for EE or a family member's care, absences associated with EE or a family member's domestic violence, sexual assault, or stalking, closures for public health reasons	EEs of ERs with 18 or more EEs accrue one hour of paid sick time for every 35 hours worked and can accrue and use up to 24 hours in 2018, 32 hours in 2019, and 40 hours in 2020 and beyond. ERs who employ fewer than 18 EEs are	EEs whose place of business has 15 or more employees accrue one hour of paid sick time for every 30 hours worked, and can accrue up to 40 hours in a year and 64 hours at any time, and can use up to 64 hours in a year. All others receive equivalent unpaid time. Covers sick time for EE or

¹ Oregon's law preempted the ordinance that was enacted by Eugene, Ore.; Eugene's ordinance was no longer in effect as of January 1, 2016.

and can accrue and use up to five days regardless of ER size. Covers sick time for EE or family members' care and for absences associated with domestic violence, sexual abuse or stalking.	violence or sexual assault.	paid sick time at the same rate, and can use eight hours per year, gradually increasing to 24 hours per year. Covers sick time for EE or family members' care and for absences associated with EE's domestic violence, sexual assault or stalking.	or dependent child's domestic violence.	time. Covers sick time for EE or family members' care, for Oregon family leave purposes, for reasons related to a public health emergency and for absences associated with EE or minor child/dependent's domestic violence, sexual harassment, assault or stalking.	associated with EE or family member's domestic violence, sexual assault or stalking, closures due to a public health emergency, care for a family member exposed to a communicable disease and the birth, adoption, or foster placement of a child.	for parent, grandparent, spouse or parent-in-law), absences associated with EE or family member's domestic violence, sexual assault or stalking, and closures for public health or safety reasons.	absences associated with EE or family member's domestic violence, sexual violence, abuse or stalking, closures for public health or safety reasons, and care for EE's or family member's exposure to a communicable disease.		not required to allow workers to accrue paid sick days but must allow use of unpaid sick time of up to 24 hours in 2018, 32 hours in 2019 and 40 hours in 2020. Covers sick time for EE or family members' care, absences associated with EE or family member's domestic violence, sexual assault or stalking, and closures for public health or safety reasons.	family members' care and for absences associated with EE or family member's domestic violence, sexual assault or stalking.
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Location	District of Columbia	Connecticut	California	Massachusetts	Oregon	Montgomery County	Vermont	Arizona	Washington	Rhode Island	Maryland
Law/Bill Number	§ 32-131.01 et seq.	Public Act 11-52	Cal. Labor Code §§ 245, 2810.5	Mass. Gen. Laws ch. 149, § 148(c), (d)	ORS §§ 653.256, 659A.885	Bill 60-14, Bill 32-16	21 Vt. Stat. §§ 384, 481-485, 345; 29 Vt. Stat. § 161	Ariz. Title 23, Ch. 2, Art. 8, §§ 23-363, 23-364; Title 23, Ch. 2, Art. 8.1	RCW 49.46.005, 49.46.020, 49.46.090, 49.46.100	H. 5413	H.B. 0001
Impact	Approx. 220,000	Approx. 200,000 workers formerly	Approx. 6.9 million workers	Approx. 900,000 workers formerly	Approx. 473,000 workers formerly	Approx. 90,000 workers formerly	Not yet determined. Approx. 60,000	Approx. 934,000 workers formerly	Approx. 1,000,000	Approx. 100,000	Not yet determined.

Location	District of Columbia	Connecticut	California	Massachusetts	Oregon	Montgomery County	Vermont	Arizona	Washington	Rhode Island	Maryland
	workers formerly without sick time gained it through this law. ⁱ	without sick time gained it through this law. ⁱⁱ	formerly without sick time will gain it through this law. ⁱⁱⁱ	without sick time will gain it through this law. ^{iv}	without sick time will gain it through this law. ^v	without sick time will gain it through this law. ^{vi}	workers were without paid sick time before the law's passage, but carve-outs create challenges in estimating the number who will gain access. ^{vii}	without sick time will gain it through this law. ^{viii}	workers formerly without sick time will gain it through this law. ^{ix}	workers formerly without sick time will gain it through this law. ^x	Approx. 750,000 workers were without sick time before the law's passage. ^{xi}
Exemptions	Does not apply to independent contractors; students employed by their higher education institution for less than 25 hours/week; health care workers in premium pay programs; volunteers that engage in activities of an educational, charitable, religious, or nonprofit organization; casual baby-sitter; some	Does not apply to EEs not employed in one of the 68 enumerated service occupations or by ERs with fewer than 50 EEs; salaried or exempt workers; temporary workers; certain state EEs; manufacturing ERs; nationally chartered nonprofits (i.e., the YMCA)	Does not apply to EEs of any governmental entity who receive a retirement allowance and are now reemployed without reinstatement into retirement system; EEs covered by a CBA with express sick time; construction EEs covered by a CBA; in-home support service workers who have worked less than 30 days in the state; certain airline flight deck or cabin crew members; EEs who have worked less	Does not apply to city or town EEs	Does not apply to EEs who are covered by a CBA, who are employed through a labor organization referral system and whose benefits are provided by a multi-employer-employee plan; are ER's child, spouse or parent; EEs who receive paid sick time under federal law; independent contractors; work-study students; work training program participants; railroad workers exempted under	Does not apply to EEs of any non-county governmental entity; EEs who have an irregular work schedule, who must contact ER for assignments and begin work within 48 hours of contact, who have no obligation to work for ER without contact, and who are not employed through a temp agency; EEs who regularly work less than eight hours a week; independent contractors	Does not apply to workers who average less than 18 hours of work per week in a year, federal government EEs; state government EEs who are exempt from state classified service; EEs who work for an ER for 20 or fewer weeks in a year on a job scheduled to last 20 weeks or fewer; per diem/intermittent health care or long-term care facility EEs; substitute teachers who are not contracted to provide long-term substitute coverage; EEs under age 18;	Does not apply to state or federal government EEs; persons employed by a parent or a sibling; or persons performing babysitting services in ER's home on a casual basis	Does not apply to workers who are exempt from Washington state minimum wage law	Does not apply to state or municipal EEs; ERs with fewer than 18 EEs, provided they allow EEs to use up to 24 hours in 2018, 32 hours in 2019 and 40 hours in 2020 of unpaid sick time; ERs with a paid time off policy or paid sick and safe leave policy that makes available at least the same amount of time as the bill; construction EEs covered by	Does not apply to individuals who are casual employees, independent contractors, licensed real estate salespersons, licensed associate real estate brokers, under the age of 18, employed in the agricultural sector on an agricultural operation, regularly work less than 12 hours a week, or who are employed in the construction industry and covered by a CBA that expressly

Location	District of Columbia	Connecticut	California	Massachusetts	Oregon	Montgomery County	Vermont	Arizona	Washington	Rhode Island	Maryland
	religious organization members		than 30 days for the same ER		the Federal Railroad Insurance Act		per diem or temporary EEs who work only when they indicate they are available, are under no obligation to work for ER and have no expectation of continuing employment with the ER; new ERs are not subject to the law for one-year period after hiring first EE			a CBA; licensed nurses who are employed by a health care facility, are under no obligation to work a regular schedule, work only when they are available and are under no obligation to work when unavailable, and receive higher pay than an EE at the same facility who works a regular schedule	waives the terms of the bill
Accrual Rate and Maximum Accrual	SB (1-24 EEs): One hour for every 87 hours worked, up to three days MB (25-99 EEs): One hour for every 43 hours worked,	50 or more EEs: One hour for every 40 hours worked, up to 40 hours	One hour for every 30 hours worked, can use up to 24 hours, accrue up to 48 hours In-Home Supportive	SB (1-10 EEs): One hour of <i>unpaid</i> time off for every 30 hours worked, up to 40 hours LB (11 or more EEs): One hour of	SB (1-9/1-5 EEs in Portland)²: One hour of <i>unpaid</i> time off for every 30 hours worked or 1-1/3 hours for every 40 hours worked, up to 40 hours	SB (1-4 EEs): One hour of time off for every 30 hours worked, can accrue up to 32 paid hours and 24 unpaid hours, use up to 80 hours	SB (1-5 EEs): Beginning on 1/1/2018, one hour for every 52 hours worked; in 2018, can accrue and use up to 24 hours; in 2019 and following years,	SB (1-14 EEs): One hour for every 30 hours worked, can accrue and use up to 24 hours LB (15 or more EEs): One hour	One hour for every 40 hours worked. ER is not required to allow more than 40 hours to carry over to the following year.	SB (1-17 EEs): Must allow use of up to 24 hours in 2018, 32 hours in 2019 and 40 hours in 2020 of unpaid sick time	SB (1-14 EEs): One hour of <i>unpaid</i> time for every 30 hours worked; can earn up to 40 hours in a year, use up to 64 hours in a year, and accrue up to

² For ERs in a city with a population exceeding 500,000, an SB is 1-5 EEs and an LB is 6 or more; for ERs in all other locations, an SB is 1-9 EEs and an LB is 10 or more.

Location	District of Columbia	Connecticut	California	Massachusetts	Oregon	Montgomery County	Vermont	Arizona	Washington	Rhode Island	Maryland
	<p>up to 5 days</p> <p>LB (100 or more EEs): One hour for every 37 hours worked, up to seven days</p> <p>Tipped restaurant and bar workers: One hour for every 43 hours worked, up to five days</p>		<p>Service Workers: From July 1, 2018, to December 31, 2019 (scheduled), one hour for every 30 hours worked, can use up to eight hours. From January 1, 2020, to December 31, 2021 (scheduled), can use up to 16 hours. From January 1, 2022, onwards, can use up to 24 hours.</p>	<p>paid time off for every 30 hours worked, up to 40 hours</p>	<p>LB (10 or more/6 or more EEs in Portland): One hour of paid time off for every 30 hours worked or 1-1/3 hours for every 40 hours worked, up to 40 hours</p>	<p>LB (5 or more EEs): One hour of paid time off for every 30 hours worked, can accrue up to 56 hours, use up to 80 hours</p>	<p>can accrue and use up to 40 hours</p> <p>LB (6 or more EEs): One hour for every 52 hours worked; in 2017 and 2018, can accrue and use up to 24 hours; in 2019 and following years, can accrue and use up to 40 hours</p> <p>NOTE: New businesses have a one-year period of exemption before paid sick time requirements apply.</p>	<p>for every 30 hours worked, can accrue and use up to 40 hours</p>		<p>LB (18 or more EEs): One hour for every 35 hours worked, can accrue and use up to 24 hours in 2018, 32 hours in 2019 and 40 hours in 2020 and beyond</p>	<p>64 hours at any time</p> <p>LB (15 or more EEs): One hour of <i>paid</i> time for every 30 hours worked; can earn up to 40 hours in a year; use up to 64 hours in a year, and accrue up to 64 hours at any time</p>
Waiting Period for Accrual and Use	<p>Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment</p>	<p>Accrual begins at commencement of employment; accrued hours may be used 680 hours after commencement of employment</p>	<p>Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment</p>	<p>Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment</p>	<p>Accrual begins at commencement of employment; accrued hours may be used 91 days after commencement of employment</p>	<p>Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment</p>	<p>Accrual begins at commencement of employment; ER may require EEs to complete waiting period of up to one year after commencement of employment or effective date of law (whichever is later) before using accrued hours</p>	<p>Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment</p>	<p>Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment</p>	<p>Accrual begins at commencement of employment or law's effective date (whichever is later); ERs may require a waiting period of up to 90 days for newly hired EEs; longer waiting</p>	<p>Accrual begins at commencement of employment; accrued hours may be used 106 days after commencement of employment</p>

Location	District of Columbia	Connecticut	California	Massachusetts	Oregon	Montgomery County	Vermont	Arizona	Washington	Rhode Island	Maryland
										periods for seasonal and temporary EEs	
Family Members Covered Other Than Self, Child, Spouse or Parent	Domestic partner; live-in partner (living together at least 12 months); sibling; sibling's spouse; grandchild; parent-in-law; spouse of child; child living with EE for whom EE cares permanently	Child and spouse only	Domestic partner; sibling; grandparent; grandchild; legal ward; parent of spouse or domestic partner; legal guardian of EE, spouse or domestic partner; person with whom EE was or is in a relationship of in loco parentis	Parent-in-law; legal ward; person who assumed the responsibilities of parenthood for EE or child for whom EE assumed responsibility	Grandparent; grandchild; parent-in-law; person with whom EE was or is in a relationship of in loco parentis	Sibling; grandparent; grandchild; spouse of sibling or grandparent; legal ward; legal guardian; child for whom the EE is primary caregiver; EE's primary caregiver when EE was a minor	Grandparent; grandchild; sibling; parent-in-law	Domestic partner; sibling; grandparent; grandchild; legal ward; parent of spouse or domestic partner; legal guardian of EE or spouse; person with whom EE was or is in a relationship of in loco parentis; any other individual related by blood or affinity whose close association with EE is the equivalent of a family relationship	Domestic partner; sibling; grandparent; grandchild; legal ward; child for whom EE is a de facto parent; parent of spouse or domestic partner; person with whom EE was or is in a relationship of in loco parentis	Domestic partner; sibling; grandparent; grandchild; care recipient (person for whom EE is responsible for providing or arranging health or safety related care); member of EE's household	Child for whom the EE has legal or physical custody or guardianship; child for whom employee stands in loco parentis; legal guardian of the EE; individual who acted as a parent or stood in loco parentis to the EE or EE's spouse when EE or spouse was a minor; grandparent; grandchild; sibling
Safe Time Coverage, Coverage for Public Health Emergency and/or Coverage for	SAFE: Coverage for EE's or family member's DV, sexual assault or stalking	SAFE: Coverage for EE's or family member's DV or sexual assault	SAFE: Coverage for EE's DV, sexual assault or stalking	SAFE: Coverage for EE or dependent child's DV	SAFE: Coverage for EE or minor child/dependent's DV, harassment, sexual assault or stalking	SAFE: Coverage for EE's or family member's DV, sexual assault or stalking PHE: Coverage for	SAFE: Coverage for EE or family member's DV, sexual assault or stalking PHE: Coverage for closure of family	SAFE: Coverage for EE's or family member's DV, sexual violence, abuse or stalking	SAFE: Coverage for EE or family member's DV, sexual assault, or stalking PHE: Coverage	SAFE: Coverage for EE or a family member's DV, sexual assault or stalking	SAFE: Coverage for EE or family member's DV, sexual assault or stalking

Location	District of Columbia	Connecticut	California	Massachusetts	Oregon	Montgomery County	Vermont	Arizona	Washington	Rhode Island	Maryland
Other Purposes					<p>PHE: Coverage for closure of place of business or child's school or place of care; coverage to care for self or family member if would jeopardize health of community or if EE is excluded from the workplace for health reasons</p>	<p>closure of place of business or child's school or place of care; coverage to care for a family member exposed to a communicable disease</p> <p>Parental: Coverage for birth of a child, adoption or foster care placement; coverage to care for a newborn, newly adopted, or newly placed child within one year of birth, adoption, or placement</p>	<p>member's business or school for public health or safety reasons</p> <p>Other: Coverage for accompanying parent, grand-parent, spouse or parent-in-law to appointment related to long-term care</p>	<p>PHE: Coverage for closure of place of business or child's school or place of care; coverage to care for self or family member exposed to a communicable disease</p>	<p>for closure of place of business or child's school or place of care for any health-related reason</p>	<p>PHE: Coverage for closure of place of business or child's school or place of care; coverage to care for self or family member exposed to a communicable disease</p>	
Treatment of Collective Bargaining Agreements	Does not diminish obligations under CBAs that provide greater benefits; a CBA cannot waive the paid time requirements of the Act	Does not diminish obligations under CBAs that provide greater benefits; does not preempt or override the terms of any CBAs in effect prior to legislation's	Does not diminish obligations under CBAs that provide greater benefits; does not apply to an EE covered by a CBA if agreement expressly provides: (1) employment terms, (2) paid sick days or an equivalent leave	Does not diminish obligations under CBAs that provide greater benefits	Does not apply to workers covered by CBAs who are employed through a labor organization referral system and whose benefits are provided by a multi-employer-employee plan;	Does not diminish obligations under CBAs that provide paid leave benefits that meet the minimum requirements	Does not diminish obligations under CBAs that provide greater benefits; does not preempt or override terms of a CBA in effect before January 1, 2017	Does not diminish obligations under CBAs that provide greater benefits; does not apply if CBA expressly waives requirements in clear and unambiguous terms; does not	Not specified	Does not diminish obligations under CBAs that provide greater sick and safe leave time than required in bill; does not apply to construction EEs covered by	Does not apply to workers in the construction industry who are covered by a CBA that expressly waives requirements of the bill in clear and unambiguous terms

Location	District of Columbia	Connecticut	California	Massachusetts	Oregon	Montgomery County	Vermont	Arizona	Washington	Rhode Island	Maryland
	unless the CBA provides at least 3 paid days of sick time; does not apply to EEs in construction or building industry covered by a CBA; does not apply to existing CBAs until the earlier of the date of their expiration or 18 months after enactment	effective date	policy (3) arbitration of paid sick day disputes, (4) premium wage rates for all overtime hours worked, and (5) regular hourly rate not less than 30 percent more than state minimum wage rate; does not apply to an EE in the construction industry covered by a CBA if agreement provides (1), (4) and (5) if the agreement was either entered into before Jan. 1, 2015 or expressly waives requirement in clear and unambiguous terms		does not diminish obligations under CBAs that provide greater benefits			apply to existing CBAs until their expiration		a CBA	
Applicability to ER's Existing Policy	No additional time required if ER provides paid time that meets Act's accrual	No additional time required if ER provides paid time that meets Act's accrual requirement and	No additional time required if ER provides paid time that can be used for the same purposes and	No additional time required if ER provides paid time that meets bill's accrual requirement and	No additional time required if ER provides paid time that is substantially equivalent to or	No additional time required if ER provides paid time that meets bill's accrual requirement	No additional time required if ER provides paid time that meets bill's use and accrual requirements and	No additional time required if ER provides paid time that meets statute's accrual requirements and	ERs are not prevented from providing more generous paid sick leave policies;	No additional time required if ER has a paid sick days policy that makes	No modification to an existing policy is required if ER provides paid time that meets accrual and use

Location	District of Columbia	Connecticut	California	Massachusetts	Oregon	Montgomery County	Vermont	Arizona	Washington	Rhode Island	Maryland
	requirement and that can be used for the same purposes and under the same conditions	that can be used for the same purposes	under the same conditions and meets one of the following: (1) the Act's accrual, carry over, and use requirements; (2) provided equivalent time off before Jan. 1, 2015; or (3) is provided pursuant to the sick leave policy for state EEs	that can be used for the same purposes and under the same conditions	more generous than the Act		can be used for same purposes, or paid time that is provided at the beginning of the year in same amount and can be used for same purposes	that can be used for the same purposes and under the same conditions	applicability to other forms of paid time not specified	available the same amount of time that can be accrued under the law	requirements and that can be accessed and accrued at the same rate and used for the same purposes
Enforcement Agency & Mechanisms	DC Department of Employment Services, Office of Wage and Hour; agency will investigate possible violations , order reinstatement of terminated EEs, order payment, and impose penalties and fines against willful violators	Connecticut Department of Labor; file complaint with labor commissioner; relief includes civil penalties, back pay and reinstatement; EEs who do not earn paid time under the law but are covered by an ER's paid time policy and are employed by covered ERs are still protected by the anti-	California Office of Industrial Relations, Labor Commissioner's Office; EEs may file a complaint; Labor commissioner may investigate ERs; hearing is before labor commissioner, who may order payment of back pay, payment of unlawfully withheld paid sick days, reinstatement or fines up to \$4000 for withholding or	Massachusetts Attorney General's Office; EEs may file a complaint; Attorney general may obtain injunctive or declaratory relief, fines up to \$15,000, and civil citation; ER may appeal to attorney general's office	Oregon Bureau of Labor and Industries; file a complaint; agency may investigate ERs and conduct mediation; if claim is for unpaid wages, agency may place a lien on ER's property; agency may provide for administrative proceeding; ER may appeal to court of appeals; relief includes fines up \$1,000 for willful violation	Montgomery County Office of Human Rights, Executive Director; EEs may file a complaint; agency will investigate claim and must attempt conciliation; relief includes damages and equitable relief; EE may appeal to commission	Vermont Department of Labor; EEs may file a complaint; agency will investigate claim and attempt to arrange a settlement between EE and ER; relief includes collection of unpaid wages, additional payment of up to twice the amount of unpaid wages for willful violations, fines up to \$5,000	Arizona Industrial Commission; any person or organization may file a complaint; commission or law enforcement officer may inspect and review business records; relief includes civil penalties of at least \$250 for a first violation and at least \$1,000 for each subsequent or willful violation; payment of	Washington Department of Labor and Industries; EE may file a complaint; director may inspect business records and may bring any legal action necessary to collect EE's claim; relief includes back pay and attorney's fees and court costs	Rhode Island Department of Labor, Division of Labor Standards; EE may file a complaint; Division will investigate; relief includes civil penalties of at least \$100	Maryland Department of Labor, Licensing and Regulation; EE may file a complaint with Commissioner of Labor and Industry; Commissioner can conduct investigation and attempt to resolve through mediation; Commissioner can issue an order to collect unpaid sick time, three times value of unpaid

Location	District of Columbia	Connecticut	California	Massachusetts	Oregon	Montgomery County	Vermont	Arizona	Washington	Rhode Island	Maryland
		retaliation provision in the law	violations					unlawfully withheld paid sick time, including interest, and an additional amount equal to twice the paid sick time; relief for retaliation includes at least \$150 for each day the violation occurred			earned sick time and a civil penalty of up to \$1,000 for each EE for whom ER not in compliance
Private Right of Action	Yes; may sue for back pay, damages, and/or reinstatement	Yes; may appeal administrative decision to Superior Court	Not specified; Labor commissioner or attorney general may file civil action in court of competent jurisdiction	Yes; ER may appeal administrative decision to Superior Court; EE may sue after exhausting administrative remedies for relief including injunctive relief, damages, and lost wages	Yes; may sue in court, which can impose relief including reinstatement, back pay, and injunctive relief	Yes; may sue in an appropriate court of law	No	Yes; may sue in court; relief includes payment of unpaid earned sick time, civil penalties, attorney's fees and court costs, and other appropriate legal or equitable relief	Not specified	Yes; may file suit (including class action) in civil court; relief includes payment of unpaid wages/benefits, compensatory damages, liquidated damages up to twice the amount of unpaid wages/benefits, reinstatement, attorneys' fees and costs and any other	Yes; Commissioner can bring action or ask attorney general to bring action and EE may bring action to enforce an order. Relief includes three times value of EEs unpaid sick time, punitive damages, attorney's fees and costs, injunctive relief and any other relief the court deems appropriate

Location	District of Columbia	Connecticut	California	Massachusetts	Oregon	Montgomery County	Vermont	Arizona	Washington	Rhode Island	Maryland
										appropriate relief	



Paid Sick Days – City Laws Updated October 2016

(For State, District and County Laws, Click [Here.](#))

Key:

EE: employee; **ER:** employer; **SB:** small business; **LB:** large business; **FTE:** full-time equivalent; **DV:** domestic violence; **SAFE:** safe time coverage; **PHE:** public health emergency; **CBA:** collective bargaining agreement

Location	San Francisco, Calif. (2006, effective 2/2007; amended 2016, effective with expansions 1/2017)	Seattle, Wash. (2011) (effective 9/2012)	New York City, N.Y. (2013), (2014) (effective 4/2014)	Jersey City, N.J. (2013, effective 1/2014; amended 2015, effective with expansions 12/2015); Newark, N.J. (2014) (effective 5/2014); Irvington, N.J. (2014) (effective 1/2015); Passaic, N.J. (2014) (effective 1/2015); East Orange, N.J. (2014) (effective	San Diego, Calif. (2014) (effective 7/2016) ³	Oakland, Calif. (2014) (effective 3/2015)	Tacoma, Wash. (2015) (effective 2/2016)	Philadelphia, Pa. (2015) (effective 5/2015)	Emeryville, Calif. (2015) (effective 7/2015); Berkeley, Calif. (2016) (effective 10/2017)	Pittsburgh, Pa. (2015) ⁴	New Brunswick, N.J. (2015) (effective 1/2016)	Spokane, Wash. (2016) (effective 1/2017) ⁵	Santa Monica, Calif. (2016) (effective 1/2017)	Minneapolis, Minn. (2016) (effective 7/2017); St. Paul, Minn. (2016) (effective 7/2017 for LB, and 1/2018 for SB)	Los Angeles, Calif. (2016) (effective 7/2016)	Chicago, Ill. (2016) (effective 7/2017); Cook County, Ill. (2016) (effective 7/2017)

³ San Diego's ordinance was approved by voters via a June 2016 ballot measure and is expected to take effect as soon as the results are certified, the deadline for which is July 7, 2016.

⁴ Pittsburgh's ordinance was ruled invalid by an Allegheny County judge on December 21, 2015. Its implementation is on hold, pending appeal and rulings from higher state courts.

⁵ Spokane's ordinance was vetoed by Mayor David Condon on January 22, 2016, but the City Council voted to override the veto on January 25, 2016. The law will take effect as planned.

				1/2015); Paterson, N.J. (2014) (effective 1/2015); Trenton, N.J. (2014) (effective 7/2015); Montclair, N.J. (2014) (effective 3/2015); Bloomfield, N.J. (2015) (effective 6/2015); Elizabeth, N.J. (2015) (effective 3/2016); Plainfield, NJ (2016) (effective 7/2016); Morristown (2016) (effective 1/2017)												
Law/Bill Number	S.F. Admin. Code Ch. 12W; Initiative Ord. 160034	Ord. 123698	Int. 0097-2010; Int. 0001-2014	Ord. 13.097 & Ord. 15.145; Ord. 13-2010; Ord. MC 3513; Ord. 1998-14; Ord. 21; Ord. 14-040; Ord.	Municipal Code § 39.0101; Ord. No. O-20390	Municipal Code ch. 5.92	Ord. 28275	Ord. 141026	Ord. 15-004; Municipal Code ch. 13.100	File 2015-1825	Ord. 121501	Ord. No. 35300	Ord. No. 2515	File 15-01372; Ord. 16-29	Ord. No. 184320	Ord. O2016-2678; Ord. 16-4229

				14-45; Ord. Ch. 160; Ord. No. 4617; Ord. MC 2016-08; Ord. O-35-2016												
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Location	San Francisco	Seattle	New York City	Jersey City, Newark, Irvington, Passaic, East Orange, Paterson, Trenton, Montclair, Bloomfield, Elizabeth, Plainfield, Morristown	San Diego	Oakland	Tacoma	Philadelphia	Emeryville, Berkeley	Pittsburgh	New Brunswick	Spokane	Santa Monica	Minneapolis, St. Paul	Los Angeles	Chicago, Cook County
Summary	EEs in the private sector accrue one hour of paid sick time for every 30 hours worked within the city and can accrue and use up to 40 or 72 hours, depending on ER's size. Covers sick time for EE or family members' care,	EEs whose place of business has five or more EEs accrue one hour of paid sick time for every 30 to 40 hours worked and use up to 40 to 108 hours,	EEs whose place of business has five or more EEs accrue one hour of paid sick time for every 30 hours worked and can accrue and use up to 40 hours. All others	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue up to 24 or 40 hours, depending on ER's size, and use up to 40 hours. EEs in certain industries receive up to 40 hours	EEs accrue one hour of paid sick time for every 30 hours worked and use up to 40 hours. Accrual is unlimited. Covers sick time for EE or family members' care, for	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue and use up to 40 or 72 hours, depending on ER's size.	EEs accrue one hour of paid sick time for every 40 hours worked and can accrue and use up to 24 hours. Covers sick	EEs whose place of business has 10 or more EEs accrue one hour of paid sick time for every 40 hours worked and can accrue and use up to 40 hours. All others receive equivalent	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue and use up to 48 or 72 hours, depending on ER's size. Covers sick time for EE or	EEs whose place of business has 15 or more EEs accrue one hour of paid sick time for every 35 hours worked and can accrue up to 40 hours. All others	EEs accrue one hour of paid sick time for every 35 hours worked and can accrue up to 24 or 40 hours, depending on ER's size, and use up to 40 hours. Part-time	EEs whose place of business has 10 or more EEs accrue one hour of paid sick time for every 30 hours worked and can use up to 40 hours. All others accrue at	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue up to 32 or 40 hours in 2017, dependi	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue up to 48 hours. (Minneapolis only: EEs whose place of business has five or fewer EEs must receive equivalent unpaid time.)	EEs accrue one hour of paid sick time for every 30 hours worked and can accrue and use up to 48 hours. Covers sick time for EE or family	EEs accrue one hour of paid sick time for every 40 hours worked and can accrue and use up to 40 hours. Covers sick time for EE or family

Location	San Francisco	Seattle	New York City	Jersey City, Newark, Irvington, Passaic, East Orange, Paterson, Trenton, Montclair, Bloomfield, Elizabeth, Plainfield, Morristown	San Diego	Oakland	Tacoma	Philadelphia	Emeryville, Berkeley	Pittsburgh	New Brunswick	Spokane	Santa Monica	Minneapolis, St. Paul	Los Angeles	Chicago, Cook County
	absences associated with EE's domestic violence, sexual assault or stalking and purposes related to bone marrow or organ donation.	depending on ER's size. Accrual is unlimited. Covers sick time for EE or family members' care, absences associated with domestic violence, sexual assault or stalking, and closures due to a public	receive equivalent unpaid time. EEs in certain industries can accrue and use two paid days after one year of employment regardless of ER size. Covers sick time for EE or family members' care and closures due to a public	regardless of ER size. Covers sick time for EE or family members' care, closures due to a public health emergency and care for a family member exposed to a communicable disease. ⁶	absences associated with domestic violence, sexual assault or stalking, and closures due to a public health emergency.	Covers sick time for EE or family members' care.	time for EE or family members' care, closures due to a public health emergency and for absences associated with EE or family members' domestic violence	unpaid time. Covers sick time for EE or family members' care and for absences associated with EE or family members' domestic violence, sexual assault or stalking.	family members' care and (Emeryville only) absences associated with EE's domestic violence, sexual assault or stalking and care for EE or family members' service dog.	accrue at the same rate up to 24 unpaid hours in the first year the law is in effect, followed by 24 paid hours after the first year. Covers sick time for EE or family members' care, closures due to a public health	EEs may only accrue up to 24 hours a year regardless of ER size. Covers sick time for EE or family members' care, closures due to a public health emergency, care for a family member exposed to a communica	the same rate and can use up to 24 hours. Covers sick time for EE or family members' care, absences associated with EE or family member's domestic violence, sexual assault or stalking, closures due to a public	ng on ER's size, and up to 40 or 72 hours from 2018 onward. There is no annual cap on use of paid sick time. Covers sick time for EE or family member	There is no annual cap on use of paid sick time, but EEs can have no more than 80 accrued but unused hours at one time. Covers sick time for EE or family members' care, absences associated with EE or family member's domestic abuse, sexual assault or stalking and closures due	members' care and for absences associated with EE's domestic violence, sexual assault or stalking.	members' care, absences associated with EE or family member being the victim of domestic violence or a sex offense (Chicago) /domestic violence, sexual violence or stalking (Cook County),

⁶ Jersey City does not cover sick time to care for a family member exposed to a communicable disease.

Location	San Francisco	Seattle	New York City	Jersey City, Newark, Irvington, Passaic, East Orange, Paterson, Trenton, Montclair, Bloomfield, Elizabeth, Plainfield, Morristown	San Diego	Oakland	Tacoma	Philadelphia	Emeryville, Berkeley	Pittsburgh	New Brunswick	Spokane	Santa Monica	Minneapolis, St. Paul	Los Angeles	Chicago, Cook County
		health emergency.	health emergency.				, sexual assault or stalking.			emergency and care for a family member exposed to a communicable disease.	ble disease and absences associated with EE or family member's domestic violence, sexual assault or stalking.	health emergency and bereavement leave in connection with a family member.	s' care and for absences associated with EE's domestic violence, sexual assault or stalking.	to a public health emergency or other unexpected cause, such as inclement weather or loss of power, heating or water.		or closures due to a public health emergency.
Impact	Approx. 59,000 workers formerly without sick time gained it through this law. ^{xii}	Approx. 150,000 workers formerly without sick time gained it through this law. ^{xiii}	Approx. 1,200,000 workers formerly without sick time gained it through this law. ^{xiv}	More than 187,200 workers formerly without sick time gained it through these laws. ^{xv}	Approx. 433,500 workers will receive more expansive protections than those provided under	Approx. 56,000 workers formerly without sick time will gain it through this	Approx. 40,000 workers formerly without sick time will gain it through this	Approx. 200,000 workers formerly without sick time will gain it through this law. ^{xix}	Approx. 5,000 workers in Emeryville will receive more expansive protections than those provided	Approx. 50,000 workers formerly without sick time will gain it through this law. ^{xxii}	Approx. 9,500 workers formerly without sick time will gain it through this law. ^{xxiii}	Approx. 40,000 workers formerly without sick time will gain it through this law. ^{xxiv}	Approx. 11,900 workers will receive more expansive protections	Approx. 62,000 workers in Minneapolis formerly without sick time will gain it through this law. ^{xxvi} Approx. 68,300	Approx. 650,000 workers will receive more expansive protections than	Approx. 460,000 workers in Chicago formerly without sick time will gain it

Location	San Francisco	Seattle	New York City	Jersey City, Newark, Irvington, Passaic, East Orange, Paterson, Trenton, Montclair, Bloomfield, Elizabeth, Plainfield, Morristown	San Diego	Oakland	Tacoma	Philadelphia	Emeryville, Berkeley	Pittsburgh	New Brunswick	Spokane	Santa Monica	Minneapolis, St. Paul	Los Angeles	Chicago, Cook County
					California's law. ^{xvi}	law. ^{xvii}	law. ^{xviii}		under California's law. ^{xx} Approx. 18,500 workers in Berkeley will receive more expansive protections than those provided under California's law. ^{xxi}				than those provided under California's law. ^{xxv}	workers in St. Paul formerly without sick time will gain it through this law. ^{xxvii}	those provided under California's law. ^{xxviii}	through this law. ^{xxix} Approx. 440,000 workers in Cook County formerly without paid sick time will gain it through this law. ^{xxx}
Exemptions	--	Does not apply to new ERs with fewer than 250 EEs; businesses have a	Does not apply to EEs of any governmental entity; work-study students; independent	Does not apply to EEs of any governmental entity; construction EEs covered	Does not apply to EEs employed at less than minimum wage; publicly	Does not apply to EEs who work less than two hours in a week in Oakland;	Does not apply to EEs of any governmental entity;	Does not apply to EEs covered by a CBA; independent contractors; seasonal workers;	Does not apply to EEs who work less than two hours in a year in the city; EEs	Does not apply to seasonal EEs; state and federal employees; independent	Does not apply to EEs of any governmental entity; construction EEs covered by	Does not apply to EEs who work less than 240 hours in a year in Spokane;	Does not apply to EEs who work less than two	Does not apply to EEs who work less than 80 hours in a year in the city for their employer;	Does not apply to EEs who work less than two hours a week in Los	Does not apply to EEs who have worked less than 80 hours for an ER

Location	San Francisco	Seattle	New York City	Jersey City, Newark, Irvington, Passaic, East Orange, Paterson, Trenton, Montclair, Bloomfield, Elizabeth, Plainfield, Morristown	San Diego	Oakland	Tacoma	Philadelphia	Emeryville, Berkeley	Pittsburgh	New Brunswick	Spokane	Santa Monica	Minneapolis, St. Paul	Los Angeles	Chicago, Cook County
		period of 24 months after the hire date of first EE to comply	nt contractors ; certain physical, occupational and speech therapists	by a CBA; ⁷ EEs who work less than 80 hours in a year in the city	subsidized short-term youth employment program EEs; any student EE, camp counselor, or program counselor of an organized camp; independent contractors	EEs not entitled to minimum wage under Calif. law	work-study participant; independent contractors; self-employed; EEs who work less than 80 hours in a year in Tacoma	adjunct professors; temporary workers; interns; pool EEs, EEs who work less than 40 hours in a year in Philadelphia	not entitled to minimum wage under Calif. law ⁸	contractors ; construction EEs covered by a CBA	a CBA; EEs who work less than 20 hours per week; EEs who work from home; independent contractors ; per diem/temporary hospital EEs	seasonal or domestic workers; independent contractors ; EEs of any governmental entity; work-study students; construction EEs; businesses that open after the effective date have a one-year period after the registration	hours in a week in Santa Monica; EEs of any governmental entity; hotel workers; EEs not entitled to minimum wage under Calif. law	independent contractors; EEs of the federal, state, county or local government (but does apply to City employees).	Angeles for their ER; EEs not entitled to minimum wage under Calif. law; EEs who have not worked for the same ER for at least 30 days within a year of commencement	in a 120-day period; EEs who perform less than two hours of work within city boundaries in a two-week period; construction EEs covered by a CBA

⁷ Irvington does not exempt construction EEs covered by a CBA.

⁸ Berkeley covers EEs who are not entitled to minimum wage but who are participants in a Welfare-to-Work program.

Location	San Francisco	Seattle	New York City	Jersey City, Newark, Irvington, Passaic, East Orange, Paterson, Trenton, Montclair, Bloomfield, Elizabeth, Plainfield, Morristown	San Diego	Oakland	Tacoma	Philadelphia	Emeryville, Berkeley	Pittsburgh	New Brunswick	Spokane	Santa Monica	Minneapolis, St. Paul	Los Angeles	Chicago, Cook County
												of their business to comply			of employment	
Accrual Rate and Maximum Accrual	<p>SB (1-9 EEs): One hour for every 30 hours worked, up to 40 hours</p> <p>LB (10 or more EEs): One hour for every 30 hours worked, up to 72 hours</p>	<p>Tier 1 (5-49 FTEs): One hour for every 40 hours worked, can use up to 40 hours</p> <p>Tier 2 (50-249 FTEs): One hour for every 40 hours worked, can use up to 56 hours</p>	<p>SB (1-4 EEs)⁹: One hour of <i>unpaid</i> time off for every 30 hours worked, up to 40 hours</p> <p>LB (5 or more EEs): One hour of paid time off for every 30 hours worked, up to 40 hours</p>	<p>SB (1-9 EEs): One hour for every 30 hours worked, up to 24 hours</p> <p>LB (10 or more EEs): One hour for every 30 hours worked, up to 40 hours</p> <p>Child care, home health care and food service workers: One hour for every</p>	One hour for every 30 hours worked, can use up to 40 hours, accrue unlimited ¹⁰	<p>SB (1-9 EEs): One hour for every 30 hours worked, up to 40 hours</p> <p>LB (10 or more EEs): One hour for every 30 hours worked, up to 72 hours</p>	One hour for every 40 hours worked, up to 24 hours	<p>SB (1-9 EEs): One hour of <i>unpaid</i> time off for every 40 hours worked, up to 40 hours</p> <p>LB (10 or more EEs): One hour of paid time off for every 40 hours worked, up to 40 hours</p>	<p>SB (1-55 EEs in Emeryville/ 1-24 EEs in Berkeley): One hour for every 30 hours worked, up to 48 hours</p> <p>LB (56 or more EEs in Emeryville/ 25 or more EEs in Berkeley): One hour for every</p>	<p>SB (1-14 EEs): One hour of time off for every 35 hours worked. During first year in effect, EEs can accrue up to 24 <i>unpaid</i> hours; after one year, EEs can accrue up</p>	<p>SB (5 FTEs to 9 EEs): One hour for every 35 hours worked, up to 24 hours</p> <p>LB (10 or more EEs): One hour for every 35 hours worked, up to 40 hours (24 hours for part-time EEs)</p>	<p>SB (1-9 EEs): One hour for every 30 hours worked, can use up to 24 hours</p> <p>LB (10 or more EEs): One hour for every 30 hours worked, can use up to 40 hours</p>	<p>SB (1-25 EEs): One hour for every 30 hours worked, up to 32 hours in 2017 and up to 40 hours from 2018 onward</p> <p>LB (26 or more</p>	<p>SB (1-5 EEs) in Minneapolis: One hour of <i>unpaid</i> time off for every 30 hours worked, up to 48 hours</p> <p>LB (6 or more EEs) in Minneapolis and all ERs in St. Paul: One hour of paid time off for every 30 hours worked, up to 48 hours</p>	One hour for every 30 hours worked, up to 48 hours	One hour for every 40 hours worked, up to 40 hours

⁹ For certain chain businesses and franchises, all workers in the chain/franchise are counted together to determine if it is considered a SB.

¹⁰ The definition of "employer" exempts people who receive in-home support services.

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		<p>Tier 3 (250 or more FTEs): One hour for every 30 hours worked, can use up to 72 hours</p> <p>Tier 3 with paid time off (PTO) policy: One hour for every 30 hours worked, can use up to 108 hours</p>	<p>to 40 hours</p> <p>Domestic Workers: Receive two days of paid time off after one year worked, then continue to receive two days/year</p>	<p>30 hours worked, up to 40 hours</p>					<p>30 hours worked, up to 72 hours</p>	<p>to 24 <i>paid</i> hours</p> <p>LB (15 or more EEs): One hour of <i>paid</i> time off for every 35 hours worked, can accrue up to 40 hours</p>			<p>EEs): One hour for every 30 hours worked, up to 40 hours in 2017 and up to 72 hours from 2018 onward</p>	<p>NOTE (Minneapolis only): For five years after the law's effective date, new ERs in their first year of business (other than chain establishments) are only required to provide unpaid sick time.</p> <p>NOTE (St. Paul only): New ERs are only required to provide unpaid sick</p>		

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														time for a period of six months after the hire date of their first EE. This provision sunsets on January 1, 2023.		
Waiting Period for Accrual and Use	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Accrued hours may be used 180 days after commencement of employment	Accrual begins at commencement of employment; accrued hours may be used 120 days after commencement of	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employe	Accrual begins on March 2, 2015, and can be used immediately; if hired after, accrual begins at	Accrual begins at commencement of employment; accrued hours may be used	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employment	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employe	Accrual begins at commencement of employment; accrued hours may be used 90 days after commencement of employe	Accrual begins at commencement of employment; accrued hours may be used 120 days after commencement of	Accrual begins at commencement of employment; ER may require EEs to complete probationary period of up to 90	Accrual begins at commencement of employment; accrued hours may be used 90	Accrual begins at commencement of employment; accrued hours may be used 90 days	Accrual begins at commencement of employment; accrued hours	

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			employment	employment ¹¹	nt	commencement of employment and hours may be used 90 days after commencement	180 days after commencement of employment		nt	nt	employment	days before using accrued hours	days after commencement of employment		after commencement of employment	may be used 180 days after commencement of employment

¹¹ Plainfield provides that accrued hours may be used on the 100th calendar day of employment.

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Family Members Covered Other Than Self, Child, Spouse or Parent	Domestic partner; sibling; grandparent; grandchild; child or parent of spouse or domestic partner; legal ward; legal guardian; person with whom EE is in a relationship of in loco parentis; "designated person"	Domestic partner; grandparent; parent-in-law	Domestic partner; sibling; grandparent; grandchild; child or parent of spouse or domestic partner	Domestic or civil union partner; sibling; grandparent; grandchild; child or parent of spouse or domestic or civil union partner; grandparent's spouse or domestic or civil union partner; legal ward; legal guardian of EE or spouse or domestic or civil union partner; person with whom EE was or is in a	Domestic partner; sibling; grandparent; grandchild; child or parent of a spouse or domestic partner; legal ward; legal guardian; person with whom EE was or is in a relationship of in loco parentis	Domestic partner; sibling; grandparent; grandchild; child of domestic partner; legal ward; legal guardian; person with whom EE is in a relationship of in loco parentis; "designated person"	Domestic partner; grandparent; legal ward; person with whom EE is in a relationship of in loco parentis	Life partner; sibling; spouse of sibling; grandparent; grandchild; parent-in-law; legal guardian; spouse of grandparent; person with whom EE was or is in a relationship of in loco parentis	Domestic partner; sibling; grandparent; grandchild; legal ward; legal guardian of EE or spouse; person with whom EE was or is in a relationship of in loco parentis; "designated person"	Domestic partner; sibling; grandparent; grandchild; child or parent of spouse or domestic partner; grandparent's spouse or domestic partner; legal ward; legal guardian of EE or spouse or domestic partner; person with whom	Domestic or civil union partner; sibling; grandparent; grandchild; child or parent of spouse or domestic or civil union partner; grandparent's spouse or domestic or civil union partner; legal ward; legal guardian of	Domestic partner; grandparent; grandchild	Domestic partner; sibling; grandparent; grandchild; legal ward; parent of spouse or domestic or domestic partner; legal guardian of EE, spouse or domestic partner; person	Domestic partner; sibling; parent-in-law; grandchild; grandparent <i>Minneapolis only:</i> Guardian; ward; members of the EE's household <i>St. Paul only:</i> Individual related to the EE by blood or affinity whose close association with the EE is equivalent to a family	Domestic partner; sibling; grandparent; grandchild; legal ward; parent of spouse or domestic partner; legal guardian of EE, spouse or domestic partner; person with whom EE was or is in a	Domestic partner; legal guardian; legal ward; parent of spouse or domestic partner; sibling; grandparent; grandchild; person related by blood or whose close association with EE is equivalent to a

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				relationship of in loco parentis ¹²						EE was or is in a relationship of in loco parentis; any person for whom EE has received permission from ER to care	EE or spouse; person with whom EE was or is in a relationship of in loco parentis		with whom EE was or is in a relationship of in loco parentis	relationship	relationship of in loco parentis; individual related to the EE by blood or affinity or whose close association with the EE is equivalent to a family relationship	family relationship; child to whom EE stands in loco parentis
Safe Time Coverage	SAFE: Coverage for EE's DV, sexual	SAFE: Coverage for EE's or	PHE: Coverage for closure	PHE: Coverage for closure of	SAFE: Coverage for EE's or	--	SAFE: Coverage for EE	SAFE: Coverage for EE or family	SAFE (Emeryville only):	PHE: Coverage for closure	SAFE: Coverage for EE or	SAFE: Coverage for EE or	SAFE: Coverage for	SAFE: Coverage for EE or family	SAFE: Coverage for EE's	SAFE: Coverage for EE or

¹² East Orange does not cover relationships of in loco parentis.

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e, Coverage for Public Health Emergency and/or Coverage for Other Purposes	assault or stalking Other: Coverage for EE's or family member's bone marrow or organ donation	family member's DV, sexual assault or stalking PHE: Coverage for closure of place of business or child's school or place of care	of place of business or child's school or place of care	place of business or child's school or place of care; coverage to care for a family member exposed to a communicable disease ¹³	family member's DV, sexual assault or stalking PHE: Coverage for closure of place of business or child's school or place of care		or family member's DV PHE: Coverage for closure of place of business or child's school or place of care	member's DV, sexual assault or stalking	Coverage for EE's DV, sexual assault or stalking Other (Emeryville only): Care for EE's or family member's service dog	of place of business or child's school or place of care; coverage to care for a family member exposed to a communicable disease	family member's DV, sexual assault or stalking PHE: Coverage for closure of place of business or child's school or place of care; coverage to care for a family member exposed to a communicable disease	family member's DV, sexual assault or stalking PHE: Coverage for closure of place of business or child's school or place of care Other: Bereavement leave in connection with family member	EE's DV, sexual assault or stalking	member's domestic abuse, sexual assault or stalking PHE: Coverage for closure of place of business or family member's school or place of care Other: Coverage for unexpected closure of family member's school or	DV, sexual assault or stalking	family member being the victim of domestic violence or a sex offense (Chicago) /sexual violence or stalking (Cook County) PHE: Coverage for closure of place of business

¹³ Jersey City does not cover sick time to care for a family member exposed to a communicable disease.

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														place of care due to inclement weather, loss of power, loss of heating, loss of water or other reason		or child's school or place of care Other: If ER is covered by federal Family and Medical Leave Act (FMLA), EE can carry over up to 40 hours of unused accrued time, in addition to any

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																	other carryover allowed under the ordinance, to use exclusively for FMLA purposes
Treatment of Collective Bargaining Agreements	Does not apply if CBA expressly waives requirements in clear and unambiguous terms	Does not apply if CBA expressly waives requirements in clear and unambiguous terms; does not	Does not diminish obligations under CBAs that provide greater benefits; does not apply to EEs in	Does not apply if CBA expressly waives requirements in clear and unambiguous terms; ¹⁴ does not apply to any member of a	Does not diminish obligations under CBAs that provide greater benefits	Does not apply if CBA expressly waives requirements in clear and unambiguous terms	Does not apply if CBA expressly waives requirements in clear and unambiguous terms	Does not apply to workers covered by CBAs	Does not apply if CBA expressly waives requirements in clear and unambiguous terms	Does not diminish obligations under CBAs that provide greater benefits; does not apply to any	Does not apply if CBA expressly waives requirements in clear and unambiguous terms; does not	Does not waive, limit or preempt rights provided by a CBA	Does not apply if CBA expressly waives requirements in clear and unambiguous terms	Does not apply to EEs in construction industry who receive at least the prevailing wage rate or rate established by a registered	Does not specifically mention treatment of CBAs	Does not affect validity or change terms of CBA already in force; after effective	

¹⁴ Plainfield only requires that the CBA expressly waive the law's protections.

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		diminish obligations under CBAs that provide greater benefits	construction or grocery industry if CBA expressly waives requirements; for other EEs, does not apply if CBA expressly waives requirements and provides a comparable benefit; does not apply to existing CBAs until	construction union covered by a CBA; ¹⁵ does not diminish obligations under CBAs that provide greater benefits; does not apply to existing CBAs until their expiration			guous terms			member of a construction union covered by a CBA	apply to any member of a construction union covered by a CBA; does not diminish obligations under CBAs that provide greater benefits; does not apply to existing CBAs until their expiration		guous terms	apprenticeship agreement <i>Minneapolis only:</i> Does not specifically mention treatment of CBAs <i>St. Paul only:</i> Does not diminish obligations under CBAs that provide greater benefits		date, does not apply if CBA explicitly waives requirements in clear and unambiguous terms; does not apply to EE in construction industry covered by a CBA

¹⁵ Jersey City and Irvington do not exempt members of a construction union covered by a CBA.

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			their expiration													
Applicability to ER's Existing Policy	No additional time required if ER provides paid time that meets bill's accrual requirement and that can be used for the same purposes	No additional time required if ER provides paid time that meets Act's use and accrual requirements and that can be used for the same purposes and under the same	No additional time required if ER provides paid time that meets bill's requirements and that can be used for the same purposes and under the same conditions	No additional time required if ER provides paid time that meets bill's accrual requirement; time can be used for the same purposes and under the same conditions ¹⁶ <i>East Orange, Paterson, Trenton and Montclair only: Policy must</i>	No additional time required if ER provides paid time that meets Act's accrual and use requirements and that can be used for the same purposes and under the same conditions	No additional time required if ER provides paid time that meets bill's accrual, carry over and use requirements and that can be used for the same	No additional time required if ER provides paid time that meets bill's accrual and use requirements, that can be used for the same purpose	No additional time required if ER provides paid time that meets bill's accrual requirement and meets all other conditions of the ordinance	No additional time required if ER provides paid time that meets Act's accrual, carry over, and use requirements and that can be used for the same purposes and (Emeryville	No additional time required if ER provides paid time that meets bill's accrual requirement and that can be used for the same purposes and under the same conditions	No additional time required if ER provides paid time that meets bill's accrual requirements and that can be used for the same purposes and under the same conditions	No additional time required if ER allows shift-swapping or provides paid time in the same amounts and for the same purposes	Does not prevent ER from adopting or retaining leave policy that is more generous	Does not prevent ER from adopting or retaining leave policy that meets or exceeds and does not otherwise conflict with bill's minimum standards and requirements <i>Minneapolis only: No additional time required if ER provides paid time that</i>	Does not prevent ER from retaining leave policy that the Office of Wage Standards determines is overall more generous even if it does not meet all of the	No additional paid leave required if ER provides paid time off in amount and manner that meets bill's requirements

¹⁶ Paterson does not require that ER-provided paid time can be used for the same purposes and under the same conditions.

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		conditions		also meet bill's use requirements		purposes and under the same conditions	s and under the same conditions, and is approved by the city		only) under the same conditions					meets bill's minimum standards and requirements <i>St. Paul only:</i> No additional time required if ER provides paid time that meets bill's accrual and carry over requirements and that can be used for the same purposes and under the same conditions	bill's requirements	

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Enforcement Agency & Mechanisms	San Francisco Office of Labor Standards Enforcement; EE may file a complaint; agency will adjudicate and administer penalties against ERs	Seattle Office for Civil Rights; EEs may file a complaint; adjudication before hearing examiner	NYC Department of Consumer Affairs (DCA); EEs may file a complaint; ER can settle violation with DCA without hearing; hearing is before DCA's Adjudication Tribunal	Newark Department of Child and Family Well-Being; Irvington Department of Neighborhood Services; Jersey City/Passaic/East Orange/Paterson/Trenton/Montclair/Bloomfield/Elizabeth Departments of Health and Human Services/Plainfield Department of Administration and Finance,	City Council will designate the enforcement office; EEs may file a complaint; civil penalties against ER ranging from \$100-\$2,000/violation or person	Not yet determined; EEs may file a complaint	Tacoma finance director; EEs may file a charge; agency may issue citation, order credit of or payment of unlawfully withheld paid sick days with one percent interest	Not yet determined; EEs may file a complaint; agency will investigate ERs, provide ERs 60 days to remedy violation, and conduct mediation; relief includes fines and reinstatement and restitution	Not yet determined; city may promulgate guidelines and rules for implementation and enforcement; EEs may file a complaint; (Emeryville only) city may investigate ERs; relief includes fines between \$500-\$1,000/EE; city may	Office of the City Controller or a Department designated by the mayor; EEs may file a complaint; agency will investigate claim; relief includes fines up to \$100/offense for willful violators, reinstatement and restitution	New Brunswick Department of Planning, Community and Economic Development; agency may file claim before Municipal Court; relief includes fines up to \$2,000; relief includes payment of unlawfully withheld paid sick	Not yet determined; enforcement procedures to be determined by City Council and administration by October 1, 2016; relief includes fines up to \$261, with a tripled penalty for retaliation and a doubled penalty for subsequent	Not specified; penalties for misdemeanor violations include fines between \$150-\$500/violation and/or imprisonment in the County Jail for up to six months; penalties for	Minneapolis Department of Civil Rights, St. Paul Department of Human Rights and Equal Economic Opportunity; EEs may file a complaint within 365 days of violation; department may investigate reported or suspected violations; investigation may require a fact finding conference or other process;	Office of Wage Standards of the Bureau of Contract Administration; agency may promulgate guidelines and rules for implementation, but enforcement mechanism is not specifically	Chicago Department of Business Affairs and Consumer Protection; Cook County Commission on Human Rights; violators in Chicago subject to fines of \$500-\$1,000/violation; violators in Cook

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				<p>Division of Health & Social Services; Morristown Department of Administration</p> <p>Agency may file claim before Municipal Court;¹⁷ relief includes fines up to \$2000¹⁸</p> <p><i>Irvington, Paterson, Trenton, Montclair, Bloomfield,</i></p>			for payment per month and fines up to \$250 or up to twice the value of unpaid leave		file claim before a court of competent jurisdiction; relief includes injunctive relief, damages and civil penalties		time; EEs must file a complaint with the agency before bringing action in Municipal Court	offenses; license officer may refuse to issue, revoke or refuse to renew business license if ER has violated the ordinance five times in the past 10 years	infractio ns include fines of \$100-\$250/vi olation; each day of violation is considered a separate offense; violators may be subject to administrative citation	director may order relief, including reinstatement, payment of unlawfully withheld paid sick time, liquidated damages up to \$250 or twice the amount of unpaid wages, whichever is greater. If the ER does not comply with depart-ment's final determination, department	addresse d	County subject to fines of \$100-\$500/viol ation

¹⁷ Newark's law is silent as to whether the enforcement department may file a claim before the Municipal Court.

¹⁸ Exceptions: Newark's and Irvington's maximum fines are \$1,000, East Orange's maximum fine is \$500, Elizabeth's maximum fine is \$1,250, and Plainfield's maximum fine is \$750. Jersey City also allows for up to 90 days of community service.

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				<p><i>Elizabeth, Plainfield and Morristown only:</i> Relief includes payment of unlawfully withheld paid sick time</p> <p><i>Jersey City only:</i> EEs may call department; agency will pro-actively audit and investigate workplaces</p> <p><i>Paterson only:</i> Relief includes imprisonment for up to 90 days</p>										<p>may refer action to city attorney to bring suit for both legal and equitable relief</p> <p><i>Minneapolis only:</i> Administrative penalties payable to EE of up to \$1,500 per violation; administrative fines payable to the city of up to \$50 for each day a violation continued after ER received</p>		

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														<p>notice and was given time to comply; EE may appeal to an administrative hearing officer.</p> <p><i>St. Paul only:</i> Administrative fines payable to the City up to \$1,000; and fines payable to EE up to \$1,000 or 10 percent of unpaid wages, whichever is greater</p>		

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Private Right of Action	Yes; may sue for back pay, damages, and/or reinstatement	No	No	Yes; may sue in Municipal Court, ¹⁹ which can impose fines or penalties; can impose any further relief including restitution, reinstatement, injunctive and declaratory relief ²⁰	Yes; may sue for back pay, damages and/or reinstatement	Yes; may sue private ERs in court, which can impose fines or penalties up to \$1000/violation or any further relief including back pay, reinstatement, and injunctive	No	Yes; may sue in court of competent jurisdiction after exhausting administrative remedies for relief including payment of unlawfully withheld paid sick days, lost wages and benefits, reinstatement, back pay, injunctive relief, liquidated damages up	Yes; may sue in court, which can impose relief including reinstatement, back pay, injunctive relief and civil penalties	No	Yes; after filing complaint with the agency, may sue in Municipal Court, which can impose fines or penalties; can impose any further relief including restitution, reinstatement, injunctive and declaratory	Not yet determined ; City Council and administration to determine enforcement procedures by October 1, 2016	Yes; may sue in court of competent jurisdiction for legal and equitable relief including payment of unlawfully withheld sick time, back	<i>Minneapolis only:</i> Yes; may appeal final administrative decision to Minnesota Court of Appeals <i>St. Paul only:</i> Yes; may bring civil action in district court and may recover damages, including reasonable attorney's fees, and may receive injunctive and	Not specified	Yes; may bring civil action in court and recover three times the value of any unpaid sick time denied or lost in damages, with interest, along with costs and reasonable attorney

¹⁹ Jersey City allows plaintiffs to sue in any court of competent jurisdiction.

²⁰ Jersey City does not specify the relief available. Newark and Bloomfield only allow the possibility to seek restitution.

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						relief		to \$2000, and attorney's fees			relief		pay, penalties of up to \$100 per person for each day their rights were violated, reinstatement, injunctive relief, reasonable attorney's fees and costs; monies and penalties	other equitable relief		fees

Location	San Francisco	Seattle	New York City	Jersey City, Newark, Irvington, Passaic, East Orange, Paterson, Trenton, Montclair, Bloomfield, Elizabeth, Plainfield, Morristown	San Diego	Oakland	Tacoma	Philadelphia	Emeryville, Berkeley	Pittsburgh	New Brunswick	Spokane	Santa Monica	Minneapolis, St. Paul	Los Angeles	Chicago, Cook County
													s are trebled for willful violations			

ⁱ Kamen, M. (2013, April). Personal communication. (Community Organizer, Jews United for Justice); Williams C., & Hayes, J. (2013, October). *Valuing Good Health in the District of Columbia: The Costs and Benefits of the Earned Sick and Safe Leave Amendment Act of 2013*. Institute for Women's Policy Research Publication. Retrieved 17 August 2015, from <http://www.iwpr.org/publications/pubs/valuing-good-health-in-the-district-of-columbia-the-costs-and-benefits-of-the-earned-sick-and-safe-leave-amendment-act-of-2013>

ⁱⁱ Farrell, L. (2013, May). Personal communication. (Executive Director, Connecticut Working Families).

- ⁱⁱⁱ Approximately 6.5 million workers gained access to paid sick days after the initial California law passed; the number of new workers who will gain access following the law's 2016 expansion is estimated to be around 400,000. Office of Governor Edmund G. Brown Jr. (2014, September 10). Governor Brown Signs Legislation to Provide Millions of Californians with Paid Sick Leave [Press release]. Retrieved 17 August 2015, from <http://gov.ca.gov/news.php?id=18690>; see Norberg, B. (2015, January 13). Paid Sick Leave for Home Health Workers Returns to Legislature. *California Healthline*. Retrieved 11 April 2016, from <http://californiahealthline.org/news/paid-sick-leave-for-home-health-workers-returns-to-legislature/>
- ^{iv} Yes on Question 4: Earned sick time for all. (2014, October 25). *Boston Globe*. Retrieved 17 August 2015, from <http://www.bostonglobe.com/opinion/editorials/2014/10/25/yes-question-earned-sick-time-for-all/xZVQO8Ewcne3VEXNAjqWQI/story.html>
- ^v Joshi, S., & Milli, J. (2015, January). *Access to Paid Sick Days in Oregon*. Institute for Women's Policy Research Publication. Retrieved 17 August 2015, from <http://www.iwpr.org/initiatives/family-leave-paid-sick-days>
- ^{vi} Turque, B. (2015, June 23). Montgomery County joins other localities providing paid sick leave. *Washington Post*. Retrieved 17 August 2015, from http://www.washingtonpost.com/local/md-politics/montgomery-county-joins-other-localities-providing-paid-sick-leave/2015/06/23/6af506d0-19e1-11e5-ab92-c75ae6ab94b5_story.html
- ^{vii} Vermont Department of Labor. (2014, January). *2013 Fringe Benefit Study*. Retrieved 25 February 2016, from <http://www.vtlni.info/2013FringeBenefitStudy.pdf>
- ^{viii} Institute for Women's Policy Research (2015, May). *Workers' Access to Paid Sick Days in the States*. Retrieved November 2, 2016 from <http://www.nationalpartnership.org/research-library/work-family/psd/workers-access-to-paid-sick-days-in-the-states.pdf>
- ^{ix} Economic Opportunity Institute (2016, January). *Why Washington Needs Paid Sick Leave*. Retrieved 2 November 2016, from <http://www.eoionline.org/work-family/paid-sick-days/why-washington-needs-paid-sick-leave/>
- ^x Rhode Island Office of the Governor. (2017, September). *Raimondo Signs Legislation Guaranteeing Paid Sick Leave for Rhode Island Employees* [Press release]. Retrieved 29 September 2017, from <http://www.ri.gov/press/view/31530>
- ^{xi} Institute for Women's Policy Research (2017, January). *Access to Paid Sick Time in Maryland*. Retrieved 16 January, 2018, from <https://iwpr.org/wp-content/uploads/2017/02/B364-MD-Paid-Sick-Time-Access-6.pdf>
- ^{xii} This reflects the number of workers who gained access to paid sick days after the initial San Francisco law passed. Drago, R., & Lovell, V. (2011, February). *San Francisco's Paid Sick Leave Ordinance: Outcomes for Employers and Employees*. Institute for Women's Policy Research Publication. Retrieved 17 August 2015, from <http://www.iwpr.org/publications/pubs/San-Fran-PSD>
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The National Partnership for Women & Families is a nonprofit, nonpartisan advocacy group dedicated to promoting fairness in the workplace, access to quality health care and policies that help women and men meet the dual demands of work and family. More information is available at NationalPartnership.org.

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Executive Officers

Beau Oshiro, C&S Wholesale Grocers, *Chair*
John Erickson, Meadow Gold Dairies, *Immediate Past Chair*
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Barry Taniguchi, KTA Superstores, *Advisor*
Derek Kurisu, KTA Superstores, *Advisor*

TO:
Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Ty J.K. Cullen, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION
Lauren Zirbel, Executive Director

DATE: Thursday, February 22, 2018
TIME: 1:30pm
PLACE: Conference Room 308

RE: HB 1727 Relating to Labor

Position: Oppose

The Hawaii Food Industry Association is comprised of two hundred member companies representing retailers, suppliers, producers, and distributors of food and beverage related products in the State of Hawaii.

Our member employers understand that employees will require occasional leave from work due to a legitimate sickness or other reasons, and generally accommodate and work with them.

This bill's approach will hinder an employer's flexibility in providing sick leave, or other kinds of leave, and will result in additional costs, both directly and indirectly. Full time employees already traditionally receive paid sick leave as an earned benefit. Mandating it for part time and hourly employees would greatly increase costs to employers and could end up having negative consequences.

This measure would place a huge administrative burden on employers, which is also a financial drain that they would have to make up for in other areas. For many businesses, especially small businesses, this could mean that they would no longer be able to afford to employ as many people and would be forced to eliminate jobs, or cut wages and eliminate other discretionary benefits. Even worse, for vulnerable companies on the "tipping point," any increase may force them to close.

There is also unfortunately potential for abuse of this type of sick leave system. Currently many employers simply offer leave to employees who have earned it and they are free to take it as vacation and when they need it for health reasons. Specifying that all employees have access to leave only to be used when they're sick means that employers would likely need to seek some kind of medical documentation in order to prevent abuse of the sick leave program. This is inconvenient for employees and adds yet more administrative efforts and costs for the employer.

This measure and other mandates that create additional costs aren't just bad for individual businesses; they hinder economic progress, job growth, and entrepreneurial activity in Hawaii, and deter business investment in our State.

In light of this, we respectfully request that this measure be held. Thank you for the opportunity to testify.

House Committee on Finance
Thursday, February 21st, 2018
1:30PM, Room 308

Attention: Representative Sylvia Luke, Chair
Representative Ty J.K. Cullen, Vice Chair

Re: **Strong Support for HB1727** Relating to Labor

The Labor Caucus of the Democratic Party of Hawai'i strongly supports HB1727. HB1727 would require employers to provide a minimum amount of paid sick leave to employees that can be used for the worker to care for herself or a family member. Allowing all workers the freedom to get well away from work will lead to healthier communities. Additionally, we have seen multiple reports in the past two years of illness outbreaks that were spread through the food service industry. There is a compelling public health interest in allowing workers the ability to stay home when they are ill. Sick leave without pay requires a worker to choose between their health and their paycheck. With the cost of living Hawai'i many workers cannot afford any loss of pay. For these reasons the Labor Caucus of the Democratic Party of Hawai'i strongly urges passage of HB1727



Randy Perreira
President

HAWAII STATE AFL-CIO

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The Twenty-Ninth Legislature, State of Hawaii
Hawaii State House of Representatives
Committee on Finance

Testimony by
Hawaii State AFL-CIO

February 22, 2018

H.B. 1727, H.D.1 – RELATING TO LABOR

The Hawaii State AFL-CIO strongly supports H.B. 1727, H.D.1 which requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care, or due to a public health emergency and gives employers flexibility to offer paid sick leave to minimum wage and other employees or to pay minimum wage employees a salary that is more than the minimum wage.

Many union members working in Hawaii are fortunate to have access to paid sick days. Even a number of employers that do not have a collective bargaining agreement offer generous paid sick days to their employees and we commend them for providing such benefits. Regrettably, not all workers are provided access to paid sick days. In fact, according to the National Partnership for Women and Families, over 170,000 Hawaii workers or nearly 43 percent of the state's private-sector workforce are not able to take paid sick days when they are ill or when their children are ill. As a result, countless employees attend work sick as many of the 170,000 workers are low-wage service sector workers living paycheck to paycheck. This however can be changed for the better.

Supporting H.B. 1727, H.D.1 will provide workers who need it the most with a few paid sick days a year. Children who are sick will finally be able to stay at home and recover and sick employees will finally have the opportunity to regain their health allowing them to return to work at full productivity. And most importantly, the spread of illness will be greatly reduced among co-workers, school children and the general public. Hawaii will become a healthier state, a more productive state and of course a state that recognizes the impact of how contagious the flu or other diseases can be to Hawaii residents. A small number of paid sick days a year can go a long way to improving the quality of life for many.

Thank you for the opportunity to testify.

Respectfully submitted,

Randy Perreira
President



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Twenty-Ninth Legislature, State of Hawaii
House of Representatives
Committee on Finance

Testimony by
Hawaii Government Employees Association

February 22, 2018

H.B. 1727, H.D. 1 – RELATING TO LABOR

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 1727, H.D. 1 which requires employers to provide a minimum amount of paid sick leave to employees.

We represent more than 27,000 public-sector employees who enjoy the benefit of paid sick leave for healthcare. No employee should be forced to choose between their well-being and their job. Taking time off to care for one's illness not only protects the employee, but also protects their families, colleagues, and customers by reducing the chances of spreading illness. Providing employees with a few days of paid sick leave is an investment that not only supports the employee, but our community as a whole.

Thank you for the opportunity to testify in support of H.B. 1727, H.D. 1.

Respectfully submitted,

Randy Perreira
Executive Director



Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the House Committee on Finance
Thursday, February 22, 2018 at 1:30 P.M.
Conference Room 308, State Capitol**

RE: HOUSE BILL 1727 HD1 RELATING TO LABOR

Chair Luke, Vice Chair Cullen, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **strongly opposes** HB 1727 HD1, which requires employers to provide the workers with paid sick leave.

The Chamber is Hawaii's leading statewide business advocacy organization, representing 2,000+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

This is another mandated benefit that will increase the cost to employers and could stifle job growth. In our previous testimony for this measure we noted that many small companies do not have a large administrative staff to help manage this new benefit. We appreciate that this bill has been amended to exclude employers that employ less than 50 employees from paid sick leave requirements; however, this bill still creates a huge burden on employers, such as retail merchants and restaurant operators, to administratively manage the accumulation and usage of sick leave for minimum wage workers.

The Chamber also opposes a provision in the HD1 that establishes a graduated wage increase above the prevailing minimum wage that an employer must meet to be excluded from such a mandate. Based on the current minimum wage of \$10.10, which was just implemented this year, employers will have to pay an employee more than \$11.75 in 2019, \$13.25 in 2020, and \$15.00 in 2021 to be excluded from the sick leave requirements specified in this measure.

Additionally, with a proposed minimum wage increase (SB2991) moving through the legislature this session establishing wage minimums of \$12.25 in 2019 and \$15.00 in 2020, businesses could be required to pay more than \$13.90 in 2019, \$18.50 in 2020 and \$19.90 in 2021 to be excluded from the requirements proposed in the bill. When you combine these requirements with existing employer mandates, such as prepaid health care, these additional costs will simply be too much for many businesses to bear.

We also oppose the reasons for which workers may utilize sick leave that are beyond the employee's health. Sick leave is generally a benefit for the employee to take care of their own health. This provision provides a broader leave which will only provide additional burden to employers and may reduce benefits and compensation in other ways.



Chamber *of* Commerce HAWAII

The Voice of Business

While most workers utilize their sick leave only when ill, there is a percentage of workers who abuse this benefit. CareerBuilder.com reported that 1 in 4 workers consider sick leave to be vacation time. This bill would make it very difficult for employers to manage their employees and the benefits provided.

We respectfully ask that this bill be deferred. Thank you for the opportunity to testify.



Testimony to the House Committee on Finance
Thursday, February 22, 2018, 1:30 pm
State Capitol, Room 308

Testimony on Opposition to HB 1727 HD1, Relating to Labor

To: The Honorable Sylvia Luke, Chair
The Honorable Ty Cullen, Vice-Chair
Members of the Committee

My name is Stefanie Sakamoto, and I am testifying on behalf of the Hawaii Credit Union League, the local trade association for 57 Hawaii credit unions, representing over 800,000 credit union members across the state.

We are in opposition to HB 1727 HD1, Relating to Labor. While we appreciate and understand the intent of this bill to allow for various types of paid leave in the workplace, we are concerned about the cost, management, and oversight of such a system. Many employers already offer generous paid leave packages to employees. Having a requirement in the law such as this may have an unintended, adverse effect on employees who already receive paid leave through their employer.

Thank you for the opportunity to testify.

HB-1727-HD-1

Submitted on: 2/21/2018 2:33:20 PM

Testimony for FIN on 2/22/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lindsey Dymond	Kalapawai Market & Cafes	Oppose	No

Comments:

With unemployment at 2%, competition for quality staff is tougher than ever. Since Hawaii is one of, if not the most expensive state to operate in, rather than forcing economic hardship on the employers through mandated benefits, wages, etc....., we should be making Hawaii an easier place to do business and create jobs. Supply and demand will force more generous wages and benefit packages and will ease wage compression.

Why is Hawaii so expensive for small business?:

- cost of raw materials / COGs
- Mandated medical insurance that raises hourly wage by \$3 per hour
- High rents
- Low vacancy rates
- High Construction costs
- Permit delays during the start up period
- High Costs of energy and other utilities

If increased min wage, family benefits and PTO legislation are passed:

1. More layoffs and hour reductions
2. small businesses close or at least shrink
3. Cost of unskilled labor (which is what min wage is for) becomes artificially too high
4. wage compression
5. Increased operating costs tied to wages...work comp, TDI and other payroll taxes/with holdings

6. Increased administrative costs to manage family and sick leave.
7. Greater wage disparity between FOH & BOH in restaurants caused by elimination of tip credits
8. Fewer resources available for community involvement and donations
9. Reallocation of funds from optional benefit plan (profit sharing, life insurance, vacation) to minimum wage

The vast majority of min wage earners are:

1. Not head of household
2. minors or just starting first jobs
3. live in combined income house holds that gross that exceed the \$70,000 requirement for a 2 bedroom condo
4. Are retired and just working for the free health care.
5. Servers already make an additional \$15-\$30/hr above their minimum wage
6. Other tipped employees make \$10-\$15

THE INCREASED COSTS ASSOCIATED WITH THESE BILLS WILL NOT BE ABLE TO GET PASSED ALONG TO END CONSUMERS AND WILL PRICE SMALL BUSINESSES AND RESTAURANTS OUT OF THE MARKET

Possible ways to lower expenses without tax breaks or credits, etc...

- Tie health insurance premium increases to max at CPI,...current increases are 5-8% annually
- Cap the amount of salary/wages that TDI & Work Comp premiums can be based on
- Pressure HECO and BWS to lower energy and water & sewer rates

- Streamline the building dept to allow new business to open faster without eroding precious free rent periods and start-up capital (all the while collecting more permit fees w/o raising taxes)

- Give permit and other start up preferences to Hawaii owned and based businesses / increase the barrier to entry from mainland and foreign investment (not too sure how to implement)

- focus on educating kids on how to work....maybe even offer more trade classes - fewer and fewer young people (under 21) are entering the job market at the entry level. Example: the Don Dymond scholarship at LJA rewards high school kids who excel at a job and excel in school.

Lower overheads and more business friendly legislation = businesses opening/operating/competing for staff:

1. less vacancy
2. More bank lending on SBA and construction loans
3. more jobs available
4. increased sales for good operators
5. more money circulating locally and at higher velocity
6. growth for vendors, advertisers, insurance companies, etc... = more growth across other sectors serving Hawaii small business
7. More funds available for better maintenance practices and major capital improvements.

Tougher competition for skilled and unskilled labor = more benefit rich employment packages at the lower income levels including: retirement, higher wages, sick pay, vacation pay, family leave, life insurance, etc...

If the business owners don't stay competitive in the labor market by reallocating the savings on overheads, they at least will die on their own swords and not die by legislation

IBEW1260

‘A‘OHE HANA NUI KE ALU ‘IA

February 22, 2018

The Twenty-Ninth Legislature
Hawaii State House of Representatives
Committee on Labor and Public Employment

HB1727 - RELATING TO LABOR

Chair Luke, Vice Chair Cullen and Members of the Committee,

The International Brotherhood of Electrical Workers Local Union 1260, AFL-CIO (IBEW1260), represents more than 3500 members, has advocated for all workers in the State of Hawaii for over seventy-five years and respectfully offers the following testimony in **STRONG SUPPORT** of House Bill 1727 (HB1727).

While IBEW1260 members are fortunate enough to be covered by a collective bargaining agreement providing in many cases generous amounts of paid sick leave, many of Hawaii's workers, over forty percent, are not afforded the same benefit. As a result, these workers are required to choose between providing for their families or working while sick and enduring a loss of income to recuperate.

Support of HB1727 will allow these workers, many of whom are low-income earners, the ability to stay at home and recover without loss of income. Additionally, children of working families who are ill will be able to remain home being cared for by their parents. IBEW1260 encourages this committee to **SUPPORT HB1727** as paid sick days will improve the quality of life for many families ultimately leading to a healthier Hawaii.

Mahalo for the opportunity to testify on this issue.

Respectfully,



Michael M. Brittain
Asst. Business Manager
IBEW1260 / AFL-CIO

IBEW1260

‘A‘OHE HANA NUI KE ALU ‘IA

HB-1727-HD-1

Submitted on: 2/21/2018 8:22:06 AM

Testimony for FIN on 2/22/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Monk	Individual	Comments	No

Comments:

Re: HB 1727 HD1

Thank you for allowing me to add my comments in to the discussion of HB1727 HD1.

Not just during flu season but all year around, I sympathize when I see sick people preparing and serving food or working with the public in shops and businesses.

I know many part-time and hourly workers don't get sick leave and when they don't work they don't get paid. Many must work part-time jobs or hourly work because it allows them the flexibility to meet the needs of their families. Workers can not plan on when they will be sick, for sick leave to be effective it should be accrued and usable as soon as possible.

I note that there are few large companies in Hawaii, the largest company in Hawaii is the utility company and I know of no fortune 500 company. For this bill to work for Hawaii's workers it need to include all companies.

Lastly, It is only as effective as enforcement, so I suggest the following be incorporated in this bill to make it more effective.:

1. Accrual begins at commencement and may be used 90 days after commencement of employment.
2. Sick leave is provided to employees at all companies, not just large ones.
- 3) There is an enforcement mechanism including private right of action.

Sincerely,

Amy Monk



To: Rep. Sylvia Luke, Chair
Rep. Ty J.K. Cullen, Vice Chair

From: Jozette Montalvo
Hawaii Petroleum, Inc-Human Resources Director
RE: HB1727 Relating to the Sick Leave

Date: February 20, 2018

Thank you for the opportunity to provide testimony. Hawaii Petroleum Company is an independent petroleum marketer operating on the islands of Maui and Hawaii, with approximately 325 employees on two islands. We operate sixteen Minit Stop convenience stores throughout the islands of Maui and Hawaii.

Hawaii Petroleum **opposes HB1727** for the following reasons.

This bill would add tremendous cost to organizations and these costs would eventually need to be passed onto our customers in the form of higher prices. In addition to higher cost, employers will be forced to turn to automation to reduce cost resulting in less opportunity for new and/or unskilled workers to enter the workforce. Also, this bill will limit employee's opportunity to pick up additional shifts because of the higher labor costs. In addition to this, this bill creates tremendous additional administrative burdens on employers already administratively taxed to comply with all other laws that we are mandated to follow. We already have measures in place to provide "leaves" to our employees and we comply with leave laws such as the Family Medical Leave Act, as well as the Hawaii Family Leave Law. An additional "leave" law is not necessary and will conflict with what is already in place.

Keeping our Convenience Stores fully staffed is already a challenging feat. Incentivizing employees to stay home with pay for their own illness as well as their family members, will further hinder our ability to adequately staff our stores.

For these very reasons, I kindly ask that you vote **NO** on **HB1727**.

Mahalo!

Maui: 385 Hukilike Street, #101 | Kahului, Hawaii 96732 | t: 808.270.2800 | f: 808.270.2801

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Kona: 74-5558 B Kaiwi Street | Kailua-Kona, Hawaii 96740 | t: 808.329.1862 | f: 808.326.2755

e-mail: sales@hawaiipetroleum.com | www.hawaiipetroleum.com | www.ohanafuels.com | www.minitstop.com

HB-1727-HD-1

Submitted on: 2/21/2018 9:38:49 AM

Testimony for FIN on 2/22/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Peter Kam	Individual	Oppose	No

Comments:



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realgastropub.com

February 21, 2018

House Finance Committee
Thursday, February 22nd, 2018

HB 1727 H.D.1 Relating to Labor

Position: **Oppose**

Thank you for the opportunity to provide testimony. We, at REAL a gastropub, hereby oppose HB1727 H.D. 1

REAL a gastropub was founded initially in 2012 with 18 original employees as a community gathering place serving local cuisine and hand-crafted beers. We are relocating, rebuilding our flagship and incorporating a 7BBL brewery named Bent Tail Brewing Company into our new location at Keauhou Lane in Kakaako. We will be able to grow into a team of 40 Honolulu residents that sells award winning beers throughout Oahu and with a focus on using local sources for our food as we have since our opening and now add this principal to our beer. We have done this in the face of significant challenges to growth at all levels; financial, shipping, taxation, legislative and more.

With Hawaii's low unemployment rate, employees have the opportunity to work at other establishments around town. Our employees enjoy discounts, company events and company-sponsored activities outside of work. These are benefits we choose to pay in order to keep our good employees and remain competitive. Competitive benefits ensure that our employees are proud to continue to provide excellent service at our venue for both locals and visitors.

We understand that employees will require occasional leave from work due to a legitimate sickness or other reasons, and we generally accommodate and work with them. If we do not, they may leave us to find another job.

We urge you to reconsider that different companies and industries have different cost structures.

Restaurants are not known for their high profit margins and longevity in the industry, so while employee size is one measure success, it is a much less significant measure than other variables in regards to profitability and the ability to sustain increased costs. We have already absorbed a minimum wage increase as well as are continually competing on price with other "industries" that also feed people, like grocery stores, food trucks, food courts.

We urge you not pass this bill out of committee, and say "Mahalo" for considering our point of view while making laws and rules that affect the state.

Sincerely,

Troy Terorotua

Troy Terorotua
Founder & Owner
REAL a gastropub / Bent Tail Brewing Co
605 Keawe Street
Honolulu, HI, 96813
troy@realgastropub.com
Cell# 808-741-7373

HB-1727-HD-1

Submitted on: 2/21/2018 1:15:50 PM

Testimony for FIN on 2/22/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Gordon Takaki	Individual	Oppose	No

Comments:

I am strongly in opposition to HB1727 HD1 Relating To Labor.

This is another business benefit that will add costs to employers and curtail job growth. This bill places a huge burden on business owners to manage the sick leave usage. There are many businesses with 50 or more employees on Hawaii Island who will be affected. It is not easy to coordinate when employees call in sick and you have to call in other employees. As a business it is difficult to predict customer flow and fully staffed employees, often requiring to send some home. We do our best to manage staffing, but sometimes we just can't keep everyone at work.

Please be defer this bill.



2/13/18

To: Rep. Aaron Ling Johanson, Chair
Rep. Daniel Holt, Vice Chair
Members on Committee on Labor & Public Employment

RE: HB1727 Paid Sick Leave

I, Mattson C. Davis am writing in opposition of HB1727. Our industry has faced tremendous cost increase these past few years from mandated wage increases along with spiraling prepaid medical insurance premiums where the businesses cover almost all of the premium costs.

We understand that employees will require occasional leave from work due to a legitimate sickness or other reasons and we generally accommodate and work with them. If we do not, they may leave us to find another job.

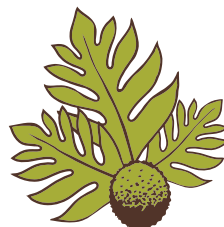
We urge you to reconsider as different companies and industries have different cost structures.

Restaurants are not known for their high profit margins and longevity in the industry, so while employee size is one measure success, it is a much less significant measure than other variables in regards to profitability and the ability to sustain increased costs. We have already absorbed a minimum wage increase as well as are continually competing on price with other "industries" that also feed people, like grocery stores, food trucks, food courts.

We urge you not pass this bill out of committee and say "Mahalo" for considering our point of view while making laws and rules that affect the state.

Mahalo,

Mattson C. Davis
President





From: [Carol Ai](#)
To: [FINTestimony](#)
Subject: Testimony in Opposition of HB1727
Date: Wednesday, February 21, 2018 6:09:48 PM

Dear Rep. Luke and Members of the Finance Committee.

My name is Carol Ai May, and I am co-owner of City Mill Company, a locally owned 119 year old Kama'aina firm employing about 400 members of the community. I strongly oppose this Bill. We have been winners of "Best Places to Work" for 10 years. Our pay is more than minimum-wage and we are extremely family friendly. While we are often applauded for staying in business with much big box retail competition, we struggle with constantly rising expenses. This bill would only serve to put additional pressure on our pay and benefits structure. Thank you and please do not pass HB 1727.

Carol Ai May
1901 Nuna Place
Honolulu, Hawaii 96821

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From: [Emile Alano](#)
To: [FINTestimony](#)
Subject: Testimony in Opposition of HB1727
Date: Wednesday, February 21, 2018 5:45:52 PM
Attachments: [image001.png](#)

To the House Finance Committee:

Regarding HB 1727 Relating to Labor (mandatory sick leave bill), I am submitting testimony in opposition to the bill. As a partner and owner in AHL, an established, 72-year old architecture firm in Hawaii, I feel that this legislation would establish mandates that would further increase the cost of doing business in our State and substantially hurt our business and how we operate.

I respectfully request that the committee carefully review how this bill would affect businesses in Hawaii and vote in opposition.

Respectfully submitted,
Emile Alano, AIA

ahl. **Emile C. Alano** | AIA, LEED AP BD+C | Vice President | Chief Operating Officer
Architects Hawaii Limited | 733 Bishop Street, Suite 3100, Honolulu, HI 96813
808.523.9636 | ealano@ahl.design

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LATE

Testimony to the
House Committee on Finance
February 22, 2018
1:30 p.m.
State Capitol - Conference Room 308

RE: HB 1727 Relating to Labor

Aloha Chair Luke, Vice Chair Cullen and members of the committee:

On behalf of the Society for Human Resource Management – Hawaii Chapter (“SHRM Hawaii”), we are writing in opposition to HB 1727, relating to labor. This bill requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care. SHRM Hawaii has a longstanding position of support for initiatives that promote flexibility between employer and employee, rather than requirements that do not take into account unique circumstances. This measure also has the potential to create a conflicting patchwork of leave requirements.

Human resource management professionals are responsible for the alignment of employees and employers to achieve organizational goals. HR professionals seek to balance the interests of employers and employees with the understanding that the success of each is mutually dependent. SHRM Hawaii represents more than 800 human resource professionals in the State of Hawaii. We look forward to contributing positively to the development of sound public policy and continuing to serve as a resource to the legislature on matters related to labor and employment laws.

Mahalo for the opportunity to testify.





LATE

Before the House Committee on Finance

DATE: February 22, 2018
TIME: 1:30 p.m.
PLACE: Conference Room 308

Re: HB1727 Relating to Labor

Testimony of Melissa Pavlicek for NFIB Hawaii

Aloha Chair Luke, Vice Chair Cullen and members of the committee:

We are testifying on behalf of the National Federation of Independent Business (NFIB) in opposition to House Bill 1727, which requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care.

NFIB Hawaii opposes measures which do not adequately allow for flexibility and take into account the circumstances of individual small businesses. Please defer this bill.

The National Federation of Independent Business is the largest advocacy organization representing small and independent businesses in Washington, D.C., and all 50 state capitals. In Hawaii, NFIB represents more than 750 members. NFIB's purpose is to impact public policy at the state and federal level and be a key business resource for small and independent business in America. NFIB also provides timely information designed to help small businesses succeed.

LATE

From: [Lorri Redlew](#)
To: [FINTestimony](#)
Subject: HB1727 Testimony
Date: Wednesday, February 21, 2018 7:53:50 PM

Understand this is a last-minute submission, but your acceptance of this testimony is appreciated.

As a small business with more than 50 employees, mandated sick leave is an expense that would have a negative impact on our business operations. Additional mandates will further increase the cost of doing business in Hawaii for employers who already navigate carefully through the generally business unfriendly environment our State creates.

Our company generally operates, if lucky, on low single digit profit margins. Thus, increased cost that cannot be absorbed is passed along to customers, some of who are retail consumers of our service. This can also negatively affect the ability to continue to remain a viable option in the marketplace if cost is too high to be accepted by our customers.

The Trump tax cuts for corporations generally will not benefit small companies, like most businesses in Hawaii are, based on discussions with our CPA, so there is no relief there, either.

Thank you for your consideration.

Lorri Redlew
Senior Vice President

Pacific Transfer LLC

664 Kakoi Street

Honolulu, HI 96819-2044

(808) 838-4940 direct

(808) 836-3871 main

(808) 833-7404 fax

From: [Herman, Linda](#)
To: [FINTestimony](#)
Subject: HB1727
Date: Wednesday, February 21, 2018 7:22:41 PM



I am in favor of HB1727. It makes sense to me.

Aloha,
Linda Rose Herman
Pre-Planning Advisor for
Dignity Memorial Providers,
Hawaiian Memorial Park and
Borthwick Mortuary
808-864-3505



**TESTIMONY OF TINA YAMAKI
PRESIDENT
RETAIL MERCHANTS OF HAWAII
February 21, 2018**

Re: HB 1727 HD1 Relating to Labor

Good afternoon Chairperson Luke and members of the House Committee on Finance. I am Tina Yamaki, President of the Retail Merchants of Hawaii and I appreciate this opportunity to testify.

The Retail Merchants of Hawaii (RMH) is a statewide not-for-profit trade organization committed to supporting the retail industry and business in general in Hawaii. The retail industry is one of the largest employers in the state, employing 25% of the labor force.

The Retail Merchants of Hawaii **STRONGLY OPPOSES** HB 1727 HD1 Relating to Labor. This bill would require employers to provide a minimum amount of sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care.

Many business's already have a paid sick leave policy in place. The duration of which, effective date of application and other specifics vary depending on the needs of the business and employer's resources. Employers are already mandated to provide Health Care Insurance. HB 1727 HD1 would add another costly benefit to the list. It is important to note that in addition to the "sick leave" compensation the employer pays to the individual taking sick leave, the employer most likely has to pay the same compensation to another employee "filling in" for this individual.

The exemption provision of an increased minimum wage is not a true incentive for businesses. Increasing minimum wages cause a compression of wages between newly hired/inexperienced workers and the veteran/experienced employees. Mandating scheduled adjustments at the lowest tier of the employment scale causes a tremendous and prohibitive increase in overall employment costs. Furthermore, an increase in payroll costs also leads to increases in benefit costs that are based on wages, including unemployment insurance, Social Security and Medicare, workers' compensation premiums, as well as vacation and holiday pay.

As a result if this measure passes, entry level position jobs may become fewer over time as companies may see the incentive to eliminate non-essential or entry level positions and look for ways to be more automated by use of machines to replace labor such as self-checkout line.

Policy makers should be focusing in on eliminating obstacles to business growth, job creation and economic stability and not adding additional costs that employers cannot afford.

We respectfully ask that you hold this measure.

Again mahalo for this opportunity to testify.

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ywca

O'ahu

Fernhurst YWCA
1566 Wilder Avenue
Honolulu, Hawai'i 96822
808.941.2231

Kokokahi YWCA
45-035 Kāne'ohe Bay Drive
Kāne'ohe, Hawai'i 96744
808.247.2124

Laniākea YWCA
1040 Richards Street
Honolulu, Hawai'i 96813
808.538.7061

ywcaoahu.org

LATE

To: Hawaii State House Committee on Finance

Hearing Date/Time: Thursday, February 22, 2018, 1:30PM

Place: Hawaii State Capitol, Rm. 308

Re: Comments on HB 1727 HD1

Thank you, Chair Luke, Vice Chair Cullen, and members of the Committee, for the opportunity to provide comments on House Bill 1727, relating to labor.

We fully support paid sick leave for workers. We know that providing paid sick leave supports public health and keeps families from economic hardships. We also know that sick leave should be accessible and inclusive. House Bill 1727 provides a framework we can build off of and should also consider including:

- Grandparents or grandchildren into definition of family. In Hawaii, where multi-generational households are common, this definition more closely mirrors our value system
- Safe leave in instances of domestic violence or sexual assault and/or stalking
- Making all workers eligible, regardless of how close their wage is to the minimum wage or how large a business is
- A shortened probationary period before accrual of sick leave can begin

Missing a few days of work because of an illness can jeopardize rent payments, car payments, and childcare. Paid sick leave policies are necessary to support public health and keep families from falling through the cracks. Thank you for the opportunity to provide comments on House bill 1727 HD1.

Kathleen Algire
Director, Public Policy and Advocacy

YWCA IS ON A MISSION

LATE

HB-1727-HD-1

Submitted on: 2/21/2018 10:24:04 PM

Testimony for FIN on 2/22/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
kristine miller	hukilau lanai restaurant	Oppose	No

Comments:

Wednesday, February 21, 2018

Letter to the Chair:

We are a small family owned business employing 60 employees on the island of Kauai.

In the current environment restaurant businesses such as ours are struggling with rising costs all around us. We strive to provide a healthy workplace and enjoy longevity and loyalty from our employees.

We strongly oppose HB 1727. In our type of business, if someone is not at work someone else must come in to replace them. We simply cannot afford to pay someone to be at work and pay another person not to be at work. Restaurant industry margins are tight, profit percentages are low, and overheads are high.

We pay high premiums for the various types of insurances we are required to and choose to carry. Our temporary disability insurance covers employee's wages up to 60% if they are out of work for seven days or more and are otherwise eligible, so employees are not left without.

LATE

From: krisi@hukilaulanai.biz
To: [FINTestimony](#)
Subject: HB 1727 - Oppose
Date: Wednesday, February 21, 2018 10:25:27 PM

Wednesday, February 21, 2018

Letter to the Chair:

We are a small family owned business employing 60 employees on the island of Kauai.

In the current environment restaurant businesses such as ours are struggling with rising costs all around us. We strive to provide a healthy workplace and enjoy longevity and loyalty from our employees.

We strongly oppose HB 1727. In our type of business, if someone is not at work someone else must come in to replace them. We simply cannot afford to pay someone to be at work and pay another person not to be at work. Restaurant industry margins are tight, profit percentages are low, and overheads are high.

We pay high premiums for the various types of insurances we are required to and choose to carry. Our temporary disability insurance covers employee's wages up to 60% if they are out of work for seven days or more and are otherwise eligible, so employees are not left without.

Sincerely,

Kristine Miller

General Manager

Hukilau Lanai

krisi@hukilaulanai.biz

808-822-0600

Fax: 808-822-2085

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Board of Directors

TESTIMONY FROM BENNETTE MISALUCHA, EXECUTIVE DIRECTOR

President
Alan Takemoto

**IN OPPOSITION OF HB 1727, HD1
RELATING TO LABOR**

Vice-President
Joshua Uyehara

HOUSE COMMITTEE ON FINANCE
February 22, 2018, 1:30 p.m.
Conference Room 308



Secretary
Dawn Bicoy

Chair Luke and members of the committee:

Treasurer
Laurie Yoshida

The Hawaii Crop Improvement Association (HCIA) is a Hawaii-based non-profit organization that promotes modern agriculture to help farmers and communities succeed. Through education, collaboration, and advocacy, we work to ensure a safe and sustainable food supply, support responsible farming practices, and build a healthy state economy.

Directors-at-Large
Adolf Helm
Mark Stoutemyer
Dan Clegg
Gene Harrington

HCIA **opposes HB 1727, HD1**, which requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care, or due to a public health emergency.

President Emeritus
Kirby Kester

While we appreciate and understand the intent of this bill to allow for various types of paid leave in the workplace, we are concerned about the impact such a measure will have on farmers. Farmers are especially vulnerable to any increase in costs, especially those that operate on low margins. Other unintended consequences of this bill's passage could include lower wages for employees, fewer work hours, and even an increase in costs for consumers.

Executive Director
Bennette Misalucha

Please oppose this bill. Mahalo for your consideration.

Sincerely,

Bennette Misalucha
Executive Director, Hawaii Crop Improvement Association

LATE

HB-1727-HD-1

Submitted on: 2/21/2018 10:45:33 PM

Testimony for FIN on 2/22/2018 1:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Michael Miyahira	Individual	Oppose	No

Comments:

This bill adds further burdens on businesses. How about supporting business for a change? Businesses that do better can afford to hire more employees and pay more taxes. All this bill does is increase the cost of doing business in Hawaii.

LATE

From: [Don](#)
To: [FINTestimony](#)
Subject: HB1727
Date: Thursday, February 22, 2018 5:44:30 AM

Aloha, I am writing to response to HB 1727 to be heard today. I strongly oppose this bill as I feel it will negatively affect my business and those in my business in my industry. With increasing costs and number or new restaurants in Hawaii, we cannot keep passing on the costs of these types of increases to our customer, which is what ultimately happens. With increasing taxes and rents, this will put, yet another undue burden on our ability to maintain our business and make it difficult to stay open. Thank you for your attention in this matter. Don Murphy, owner, Murphy's Bar and Grill, 2 Merchant St., Honolulu.



LATE

1928 Republican Street Honolulu, HI 96819 Phone: (808) 845-9868 Fax: (808) 848-7848

Statement of
Jimmy Chan
Owner
Hawaiian Chip Company
before the
House Committee on Finance
Thursday, February 23, 2018
1:30 p.m.
State Capitol, Conference Room 308

In consideration of
HB 1727
Relating to Labor

Chair Luke, Vice Chair Cullen and the Members of the Committee on Finance.

My company opposes HB 1727 Relating to Labor.

My name is Jimmy Chan and I am the owner and founding member of the Hawaiian Chip Company which manufactures and sells taro & sweet potato chips. I can be best reached via phone (call not text message) 808-845-9868 or email jim@hawaiianchipcompany.com. I have a small business that provides good jobs for fifteen fulltime employees. No position, requires education beyond middle school to hold or advance to including the very top positions because training is provided in-house. Company culture acknowledges that the best way for employees to make more money and have more incentives is to either work more hours or produce better quality work to earn more per hour. Those who work more while producing the best quality work, make the most. HB 1727 would undermine this effort because the bill would create challenges for the company and increase burden on ownership.

The intent of HB 1727 represents a nice ideal but puts us on a path that will ultimately cost fifteen people at Hawaiian Chip Company their jobs. The recent increase in minimum wage forced the company to trim three jobs of the least reliable and lowest performers at the end of 2017. To my knowledge those workers have not found alternative employment. Having to pay the lowest performers more leaves less available to pay the highest performers. Being forced to provide paid time off would exasperate this problem. Making up for the time taken off would be costly because the labor force is already in short supply. This would require spending more time trying to find more workers and possibly losing production time by not having enough workers available to maximize efficiency.

Even if exempt from this requirement I would then be in competition for unreliable workers being offered the benefits of HB 1727 from larger companies that generate much



1928 Republican Street Honolulu, HI 96819 Phone: (808) 845-9868 Fax: (808) 848-7848

more in profits. Retention is already difficult at the administrative level because no one wants to put in time and effort to earn wage increases and promotion. There is little need when working in an environment that cultivates and promotes entitlement. Continuing this path would essentially kill my attempts to grow the Hawaiian Chip Company from a small survival story into a larger successful employment opportunity for the State of Hawaii. HB 1727 would create insurmountable challenges for a small business, like mine, which would shut down or hope to find a buyer. Selling the company would be the best scenario as it would allow me to exit with hopefully debt. Unfortunately, it is doubtful a larger company would need any of my administrative or supervisory staff. This would put the company's middle-class wage earners on the unemployment line along with the low performers.

I have not had a relaxing full day off in eighteen years. I went into work the day my daughter was born because one of my lowest performing workers was probably too hung over to show up and peel potatoes. Instead of fixing the giant dent in my truck I've allocated funds to build infrastructure to support a growing business. I don't have the luxury of relaxing because of constantly covering for a largely unreliable, coddled work force. Regrettably, this is the reason I am unable to testify in person. While I don't ask any of my employees to carry the same burden or make the same sacrifices, I do ask myself "how is this worth it?" as challenges pile on.

I remember hearing about a leader courageous enough to hold every American accountable for their own actions "Ask not what your country can do for you..." Have times changed that much? If as a society we choose to give handouts for mediocrity instead of rewarding merit, then I might as well hang it up and get in line.

Thank you so much for taking into consideration, my opposition to HB 1727 Relating to Labor.

Mahalo,

Jimmy Chan
Hawaiian Chip Company

LATE

From: [Paul and Sherry Dziuban](#)
To: [FINTestimony](#)
Subject: HB1727
Date: Thursday, February 22, 2018 7:03:44 AM

Aloha,

Please oppose this bill. It is bad for business, it does not encourage businesses to hire full time workers or to grow more than 50 employees. Thus, the bill does not help employees as they will only get part time work and will never see benefit. Large employers who hire full time workers already give benefits, vacation pay, holiday pay and sick pay. All this bill will do is create more part time jobs and not encourage employers to grow their business. It may also, create more underground jobs (getting paid under the table) as employers won't grow and create jobs. Please stop trying to regulate the market place and allow capitalism to run its course.

Mahalo,

Paul and Sherry Dziuban
Small business owners



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February 22, 2018

**TESTIMONY BEFORE THE HOUSE COMMITTEE ON FINANCE
ON HOUSE BILL 1727 HD1 RELATING TO LABOR**

Thank you Chair Luke and committee members. I am Gareth Sakakida Managing Director of the Hawaii Transportation Association (HTA) with over 375 members involved with the commercial ground transportation industry.

HTA opposes this bill.

There are so many cost escalators we are facing that adding more mandated benefits places our members in a tough situation.

We are not generally a minimum wage paying industry, and provide paid sick leave and vacation, or combination. Yet, any mandated costs further squeezes our cost structure, even if it is only to administer a program.

The motor carrier industry is facing increased costs for: healthcare; workers' compensation; impending fuel tax increases; and the turnover of entire fleets to alternate fueled vehicles.

Working to comply with the Governor's 2045 plan to cease importation of fossil fuels places tremendous capital cost stresses on the industry. Development of electric powered commercial vehicles is starting to get off the ground now and carry projected costs up to 50% more than the diesel and gasoline powered vehicles of today.

That translates to a tractor running from \$150,000 today to \$225,000 when it is ready to be produced. Motor coaches costing \$500,000 today are projected at \$700,000 in about five years.

This is a great strain on our small business operators.

Again, we are not generally a minimum wage industry, but any bump in the wage sends ripples to increase current wage levels to "keep up." Additions of benefits create the same ripple effect.

Mandated increases force carriers to stabilize costs somehow, usually by reducing other benefits or their workforce.

Thank you.

HB-1727-HD-1

Submitted on: 2/22/2018 8:34:22 AM

Testimony for FIN on 2/22/2018 1:30:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Neil Ishida	ABC Stores	Oppose	No

Comments:

ABC Stores opposes HB 1727:

Many business, like ABC Stores, already have a paid sick leave policy in place. Employers are already mandated to provide Health Care insurance. HB 1727 would add another costly benefit to the list. It is important to note that in addition to the sick leave compensation the employer pays to the individual taking sick leave, the employer must also pay the same compensation to another employee filling in for this individual.

Policy makers should be focusing in on eilminating obstacles to business growth, job creation and economic stability and not adding additional costs that employers cannot afford.

We respectfully ask that you hold this measure.

Mahalo.

The Twenty-Ninth Legislature
Regular Session of 2018



HOUSE OF REPRESENTATIVES
Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Ty J.K. Cullen, Vice Chair
State Capitol, Conference Room 308
Thursday, February 22, 2018; 1:30 p.m.

**STATEMENT OF ILWU LOCAL 142 ON H.B. 1727, H.D. 1 (HSCR603-18)
RELATING TO LABOR**

The ILWU Local 142 supports H.B. 1727 H.D. 1, which requires employers to provide a minimum amount of paid sick leave to employees to be used to care for themselves or a family member who is ill or needs medical care, or due to a public health emergency.

H.B. 1727 H.D. 1 provides that all employees who work in the State for more than six hundred eighty hours in a year shall have the right to accrue sick leave. Sick leave would accrue at the rate of one hour of paid leave for every forty hours worked. A cap is also provided so that no employee would accrue more than forty hours of paid sick leave in a calendar year. The bill further provides that employers that employ less than 50 employees or that meet graduated wage increase conditions above the prevailing minimum wage will be exempted from paid sick leave requirements.

Providing paid leave for a worker's own illness or disability is a humane employment practice that fosters loyalty and productivity among employees for their employers. The current law mandating Temporary Disability Insurance (TDI) is a means of providing paid leave for workers to address their own illnesses, but TDI starts only after a week of illness. TDI also pays 58% of wages for a maximum 26 weeks.

We remain concerned that some employers who now offer good sick leave policies may terminate those policies and instead offer TDI and the limited benefit provided in H.B. 1727 H.D. 1. The law should not allow employers to opt for the cheaper alternative. Further, H.B. 1727 H.D. 1 should not jeopardize the Temporary Disability Insurance law, which has been in effect for more than 40 years and has served us well. Some safeguards may need to be considered.

The ILWU urges passage of H.B. 1727 H.D. 1, with additional language to address the TDI concern. Thank you for the opportunity to share our views on this matter.



From: [Melanie Stanley](#)
To: [FINTestimony](#)
Subject: Testimony for HB 1727 Relating to Labor
Date: Thursday, February 22, 2018 9:33:56 AM
Importance: High

February 22, 2018

The Twenty-Ninth Legislature
House of Representatives
Committee on Finance

Testimony by KAI Hawaii, Inc.

Subject: [House Bill No. 1727 Relating to Labor](#)

Position: Oppose

Dear Chair Johanson, Vice Chair Holt, and Members of the Committee:

My name is Ken Hayashida, President of KAI Hawaii, Inc., a small business established in Hawaii providing structural engineering services. In addition to a generous benefit package, our company offers paid time off to all of our full-time employees which can be used for personal time off or for sick leave. We allow flexible work schedules to accommodate employees with family members who need to be cared for, including time off to care for sick children, spouses, and parents.

However, H.B. 1727 would require employers to provide a minimum amount of paid sick leave to all employees that meet a certain criteria and would place an additional financial burden on our small business, thus hindering our ability to grow, hire new employees, give wage increases, bonuses or maintain other discretionary benefits.

We respectfully ask you to hold off on this measure to protect the future of small businesses operating in the State of Hawaii.

Respectfully Submitted,

Ken Hayashida
President



50 S. Beretania Street, #C-119C
Honolulu, HI 96813

From: kauaigymnastics@aol.com
To: [FINTestimony](#)
Subject: HB1727
Date: Thursday, February 22, 2018 9:55:23 AM

LATE

Aloha Ladies and Gentlemen,

I understand that my comments may not be read because they are tardy, but I also understand that you all may take all emails under advisement afterwards.

Certainly you know that Hawaii is rated as one of the hardest (if not the hardest) states to do business in. This bill would provide benefits for employees that work less than 15 hrs a week. That's not even half-time of a full-time, 40-hr position. I understand that employers with less than 50 employees would be exempt (which includes us) but who knows how it could be expanded in the future and the huge impact on the employers who fall under this parameter.

Hawaii should be doing things to help employers to do business here. When it becomes more affordable to do business, it is easier for us to give raises and increase benefits.

Please consider that.

Kay Leonard, Co-Owner, Kauai Gymnastics Academy

Jack and Kay
245-8863 - gym
634-8697 - Kay

www.kauaigymnastics.com

Mailing address: 6134 Kala Kea Place #4, Kapaa, HI 96746
Gym location: 4224 Hanahao Place, Lihue (Puhii), HI



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

LATE

**HEARING BEFORE THE HOUSE COMMITTEE ON FINANCE
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 308
THURSDAY, FEBRUARY 22, 2018 AT 1:30 P.M.**

To The Honorable Sylvia Luke, Chair;
The Honorable Ty J.K. Cullen, Vice Chair; and
Members of Committee on Finance

TESTIMONY IN OPPOSITION TO HB 1727 RELATING TO LABOR

Aloha, my name is Pamela Tumpap and I am the President of the Maui Chamber of Commerce. I am writing share our opposition to HB 1727.

The majority of our members are small businesses who, despite the high costs of doing business in Hawaii, already offer sick leave benefits to their employees. However, there are many startups and small businesses who simply cannot afford to provide sick leave benefits. This bill will create significant hardships for them as it increases costs and is extremely broad in who is covered by the sick leave.

The language in the bill suggests that sick leave is accrued an hour at a time and that employees can use sick leave as accrued. Therefore, employees could use their sick leave an hour or a few hours at a time. This would also create havoc in scheduling and work coverage that many small businesses cannot manage as they do not have the depth of employees that larger businesses have to address that.

We believe the legislature should really understand the economic impact before passing a mandate like this. We would like to see an economic analysis completed, prior to any mandates being codified, that details how many businesses this bill would impact, how many of those are small businesses, and how many employees this affects. There needs to be justification for why this bill is being proposed and the legislature needs to understand the real impact this will have on businesses before passing a mandate.

We appreciate the opportunity to testify on this matter and ask that this bill be deferred.

Sincerely,

Pamela Tumpap

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.