



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

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February 6, 2018

To: The Honorable Aaron Ling Johanson, Chair,  
The Honorable Daniel Holt, Vice Chair, and  
Members of the House Committee on Labor & Public Employment

Date: Tuesday, February 6, 2018  
Time: 8:30 a.m.  
Place: Conference Room 309, State Capitol

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

**RE: H.B. NO. 1727 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 an unspecified amount more than minimum wage, or employ fewer than an unspecified number of employees.

The Department offers comments on the measure.

**II. CURRENT LAW**

In Hawaii, paid sick leave is required under Temporary Disability Insurance (TDI) law for the worker's own sickness, but other persons are not covered under that person's TDI coverage. Under §388-7(3) 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, the Hawaii Family Leave Law does not allow an employee under §398-3 to take leave for their 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 Section 392-41(b)(2), HRS, to allow an employee to use only the amount of sick leave in excess of the statutory equivalent for family leave purposes.

The Department notes that the relationship of the proposed sick leave and other benefits provided under various laws may entail Employee Retirement Income Security Act (ERISA) ramifications.

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 6, 2018

TESTIMONY TO THE  
HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT  
For Hearing on TUESDAY, FEBRUARY 6, 2018  
8:30 a.m., Conference Room 309

By

RYKER WADA  
INTERIM DIRECTOR

**House Bill No. 1727**  
**Relating to Health**

CHAIRPERSON JOHANSON, VICE-CHAIR HOLT AND MEMBERS OF THE HOUSE  
COMMITTEE ON LABOR & PUBLIC EMPLOYMENT:

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

H.B. 1727 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** on H.B. 1727 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 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 accordingly attempts to legislate in an area that is required by statute to be a mandatory subject of negotiation.

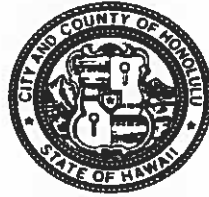
Given the foregoing, we recommend that H.B. 1727 be held or amended to expressly exclude public employees from its coverage.

DEPARTMENT OF HUMAN RESOURCES

**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET 10<sup>TH</sup> FLOOR • HONOLULU, HAWAII 96813  
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KIRK CALDWELL  
MAYOR



CAROLEE C. KUBO  
DIRECTOR

NOEL T. ONO  
ASSISTANT DIRECTOR

February 1, 2018

The Honorable Aaron Ling Johanson, Chair  
The Honorable Daniel Holt, Vice Chair  
and Members of the Committee  
on Labor & Public Employment  
The House of Representatives  
State Capitol, Room 309  
415 South Beretania Street  
Honolulu, Hawaii 96813

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

SUBJECT: House Bill No. 1727  
Relating to Labor

House Bill 1727 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 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 be amended to explicitly exclude public sector employees.

Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink, appearing to read "Carolee C. Kubo".

Carolee C. Kubo  
Director



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 Labor and Public Employment

Testimony by  
Hawaii State AFL-CIO

February 6, 2018

## H.B. 1727 – RELATING TO LABOR

The Hawaii State AFL-CIO strongly supports H.B. 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.

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 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  
House of Representatives  
Committee on Labor and Public Employment

Testimony by  
Hawaii Government Employees Association

February 6, 2018

H.B. 1727 – RELATING TO LABOR

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO strongly supports the purpose and intent of H.B. 1727 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.

Respectfully submitted,

Randy Perreira  
Executive Director



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**Derek Kurisu**, KTA Superstores, *Advisor*

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TO:  
Committee on Labor and Public Employment  
Rep. Aaron Ling Johanson, Chair  
Rep. Daniel Holt, Vice Chair

FROM: HAWAII FOOD INDUSTRY ASSOCIATION  
Lauren Zirbel, Executive Director

DATE: Tuesday, February 6, 2018  
TIME: 8:30am  
PLACE: Conference Room 309

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 receive traditionally paid sick leave as an earned benefit. Mandating it for part time and hourly employees would greatly increase costs to employers. For many 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.

Small businesses are especially vulnerable to any increase in costs, especially those that operate on low margins. Passage of this measure may also force many small employers to offset higher costs through lower wages to their employees, fewer work hours and fewer pay raises, decreased discretionary benefits, or increased costs for consumers. Even worse, for those companies on the "tipping point," any increase may force them to close.



This measure and any other mandates that create additional costs hinder economic progress 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.



**Tyler Roukema, Chairman** – Outback Steakhouse      **Kelii Gouveia, Incoming Chair** – Hula Grill  
**Hide Sakurai, Vice Chair** – Diamond Dining      **Dirk Koeppenkastrop, Secretary** – Il Gelato  
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To:      Rep. Aaron Ling Johanson, Chair  
          Rep. Daniel Holt, Vice Chair  
          Members on Committee on Labor & Public Employment

From:    Victor Lim, Legislative Chair  
          Hawaii Restaurant Association

Subject: HB1727 Paid Sick Leave

Date:    February 2, 2018

The Hawaii Restaurant Association representing about 3,500 restaurant here in the State of Hawaii is opposed to HB1727 requiring all businesses to provide Paid Sick Leave.

Our industry has faced tremendous cost increases 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.

As you have seen in the news this past week just in Kaimuki with the many closings, it is very difficult to survive here especially for the small and medium size restaurants. The larger and more successful ones are already providing Paid Sick Leave but mandating this for all businesses might put many under water.

Thank you for giving us the opportunity to share our concern on this bill.

Aloha.



February 4, 2018

To: Representative Aaron Ling Johanson, Chair  
Representative Daniel Holt, Vice Chair  
Committee on Labor and Public Employment

From: Deborah Zysman, Executive Director  
Hawaii Children's Action Network

Re: **HB1727 – Relating to Labor**  
**Hawaii State Capitol, Room 309, February 6, 2018, 8:30 AM**

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**On behalf of Hawaii Children's Action Network (HCAN), we are writing to offer comments on HB1627 – 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.

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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	<a href="#">District of Columbia (2008, amended 2013) (effective 2014)</a>	<a href="#">Connecticut (2011) (effective 1/2012)</a>	<a href="#">California (2014, amended 2015 and 2016) (effective 7/2015; 2016 expansion effective 7/2018)</a>	<a href="#">Massachusetts (2014) (effective 7/2015)</a>	<a href="#">Oregon (2015) (effective 1/2016)<sup>1</sup></a>	<a href="#">Montgomery County, Md. (2015) (effective 10/2016)</a>	<a href="#">Vermont (2016) (effective 1/2017 for LB, and 1/2018 for SB)</a>	<a href="#">Arizona (2016) (effective 7/2017)</a>	<a href="#">Washington (2016) (effective 1/2018)</a>	<a href="#">Rhode Island (2017) (effective 7/2018)</a>	<a href="#">Maryland (2018) (effective 2/2018)</a>
<b>Summary</b>	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

<sup>1</sup> 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
<b>Law/Bill Number</b>	§ 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
<b>Impact</b>	Approx. <b>220,000</b>	Approx. <b>200,000</b> workers formerly	Approx. <b>6.9 million</b> workers	Approx. <b>900,000</b> workers formerly	Approx. <b>473,000</b> workers formerly	Approx. <b>90,000</b> workers formerly	Not yet determined. Approx. <b>60,000</b>	Approx. <b>934,000</b> workers formerly	Approx. <b>1,000,000</b>	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. <sup>i</sup>	without sick time gained it through this law. <sup>ii</sup>	formerly without sick time will gain it through this law. <sup>iii</sup>	without sick time will gain it through this law. <sup>iv</sup>	without sick time will gain it through this law. <sup>v</sup>	without sick time will gain it through this law. <sup>vi</sup>	workers were without paid sick time before the law's passage, but carve-outs create challenges in estimating the number who will gain access. <sup>vii</sup>	without sick time will gain it through this law. <sup>viii</sup>	workers formerly without sick time will gain it through this law. <sup>ix</sup>	workers formerly without sick time will gain it through this law. <sup>x</sup>	Approx. 750,000 workers were without sick time before the law's passage. <sup>xi</sup>
<b>Exemptions</b>	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
<b>Accrual Rate and Maximum Accrual</b>	<b>SB (1-24 EEs):</b> One hour for every 87 hours worked, up to three days  <b>MB (25-99 EEs):</b> One hour for every 43 hours worked,	<b>50 or more EEs:</b> 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  <b>In-Home Supportive</b>	<b>SB (1-10 EEs):</b> One hour of <i>unpaid</i> time off for every 30 hours worked, up to 40 hours  <b>LB (11 or more EEs):</b> One hour of	<b>SB (1-9/1-5 EEs in Portland)<sup>2</sup>:</b> 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	<b>SB (1-4 EEs):</b> 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	<b>SB (1-5 EEs):</b> 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,	<b>SB (1-14 EEs):</b> One hour for every 30 hours worked, can accrue and use up to 24 hours  <b>LB (15 or more EEs):</b> 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.	<b>SB (1-17 EEs):</b> Must allow use of up to 24 hours in 2018, 32 hours in 2019 and 40 hours in 2020 of unpaid sick time	<b>SB (1-14 EEs):</b> 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

<sup>2</sup> 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><b>LB (100 or more EEs):</b> One hour for every 37 hours worked, up to seven days</p> <p><b>Tipped restaurant and bar workers:</b> One hour for every 43 hours worked, up to five days</p>		<p><b>Service Workers:</b> 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><b>LB (10 or more/6 or more EEs in Portland):</b> 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><b>LB (5 or more EEs):</b> 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><b>LB (6 or more EEs):</b> 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><b>NOTE:</b> 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><b>LB (18 or more EEs):</b> 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><b>LB (15 or more EEs):</b> 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>
<b>Waiting Period for Accrual and Use</b>	<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	
<b>Family Members Covered Other Than Self, Child, Spouse or Parent</b>	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
<b>Safe Time Coverage, Coverage for Public Health Emergency and/or Coverage for</b>	<b>SAFE:</b> Coverage for EE's or family member's DV, sexual assault or stalking	<b>SAFE:</b> Coverage for EE's or family member's DV or sexual assault	<b>SAFE:</b> Coverage for EE's DV, sexual assault or stalking	<b>SAFE:</b> Coverage for EE or dependent child's DV	<b>SAFE:</b> Coverage for EE or minor child/dependent's DV, harassment, sexual assault or stalking	<b>SAFE:</b> Coverage for EE's or family member's DV, sexual assault or stalking <b>PHE:</b> Coverage for	<b>SAFE:</b> Coverage for EE or family member's DV, sexual assault or stalking <b>PHE:</b> Coverage for closure of family	<b>SAFE:</b> Coverage for EE's or family member's DV, sexual violence, abuse or stalking	<b>SAFE:</b> Coverage for EE or family member's DV, sexual assault, or stalking <b>PHE:</b> Coverage	<b>SAFE:</b> Coverage for EE or a family member's DV, sexual assault or stalking	<b>SAFE:</b> 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
<b>Other Purposes</b>					<p><b>PHE:</b> 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><b>Parental:</b> 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><b>Other:</b> Coverage for accompanying parent, grand-parent, spouse or parent-in-law to appointment related to long-term care</p>	<p><b>PHE:</b> 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><b>PHE:</b> 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>	
<b>Treatment of Collective Bargaining Agreements</b>	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	
<b>Applicability to ER's Existing Policy</b>	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
<b>Enforcement Agency &amp; Mechanisms</b>	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
<b>Private Right of Action</b>	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

<b>Location</b>	<b>District of Columbia</b>	<b>Connecticut</b>	<b>California</b>	<b>Massachusetts</b>	<b>Oregon</b>	<b>Montgomery County</b>	<b>Vermont</b>	<b>Arizona</b>	<b>Washington</b>	<b>Rhode Island</b>	<b>Maryland</b>
										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) <sup>3</sup>	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) <sup>4</sup>	New Brunswick, N.J. (2015) (effective 1/2016)	Spokane, Wash. (2016) (effective 1/2017) <sup>5</sup>	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)

<sup>3</sup> 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.

<sup>4</sup> 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.

<sup>5</sup> 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.

				<a href="#">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)</a>												
<b>Law/Bill Number</b>	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
<b>Summary</b>	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 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. <sup>6</sup>	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),

<sup>6</sup> 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. <b>59,000</b> workers formerly without sick time gained it through this law. <sup>xii</sup>	Approx. <b>150,000</b> workers formerly without sick time gained it through this law. <sup>xiii</sup>	Approx. <b>1,200,000</b> workers formerly without sick time gained it through this law. <sup>xiv</sup>	More than <b>187,200</b> workers formerly without sick time gained it through these laws. <sup>xv</sup>	Approx. <b>433,500</b> workers will receive more expansive protections than those provided under	Approx. <b>56,000</b> workers formerly without sick time will gain it through this	Approx. <b>40,000</b> workers formerly without sick time will gain it through this	Approx. <b>200,000</b> workers formerly without sick time will gain it through this law. <sup>xix</sup>	Approx. <b>5,000</b> workers in Emeryville will receive more expansive protections than those provided	Approx. <b>50,000</b> workers formerly without sick time will gain it through this law. <sup>xxii</sup>	Approx. <b>9,500</b> workers formerly without sick time will gain it through this law. <sup>xxiii</sup>	Approx. <b>40,000</b> workers formerly without sick time will gain it through this law. <sup>xxiv</sup>	Approx. <b>11,900</b> workers will receive more expansive protections	Approx. <b>62,000</b> workers in Minneapolis formerly without sick time will gain it through this law. <sup>xxvi</sup> Approx. <b>68,300</b>	Approx. <b>650,000</b> workers will receive more expansive protections than	Approx. <b>460,000</b> 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. <sup>xvi</sup>	law. <sup>xvii</sup>	law. <sup>xviii</sup>		under California's law. <sup>xx</sup> Approx. <b>18,500</b> workers in Berkeley will receive more expansive protections than those provided under California's law. <sup>xxi</sup>				than those provided under California's law. <sup>xxv</sup>	workers in St. Paul formerly without sick time will gain it through this law. <sup>xxvii</sup>	those provided under California's law. <sup>xxviii</sup>	through this law. <sup>xxix</sup> Approx. <b>440,000</b> workers in Cook County formerly without paid sick time will gain it through this law. <sup>xxx</sup>
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; <sup>7</sup> 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 <sup>8</sup>	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

<sup>7</sup> Irvington does not exempt construction EEs covered by a CBA.

<sup>8</sup> 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	
<b>Accrual Rate and Maximum Accrual</b>	<p><b>SB (1-9 EEs):</b> One hour for every 30 hours worked, up to 40 hours</p> <p><b>LB (10 or more EEs):</b> One hour for every 30 hours worked, up to 72 hours</p>	<p><b>Tier 1 (5-49 FTEs):</b> One hour for every 40 hours worked, can use up to 40 hours</p> <p><b>Tier 2 (50-249 FTEs):</b> One hour for every 40 hours worked, can use up to 56 hours</p>	<p><b>SB (1-4 EEs)<sup>9</sup>:</b> One hour of <i>unpaid</i> time off for every 30 hours worked, up to 40 hours</p> <p><b>LB (5 or more EEs):</b> One hour of paid time off for every 30 hours worked, up to 40 hours</p>	<p><b>SB (1-9 EEs):</b> One hour for every 30 hours worked, up to 24 hours</p> <p><b>LB (10 or more EEs):</b> One hour for every 30 hours worked, up to 40 hours</p> <p><b>Child care, home health care and food service workers:</b> One hour for every</p>	One hour for every 30 hours worked, can use up to 40 hours, accrue unlimited <sup>10</sup>	<p><b>SB (1-9 EEs):</b> One hour for every 30 hours worked, up to 40 hours</p> <p><b>LB (10 or more EEs):</b> One hour for every 30 hours worked, up to 72 hours</p>	One hour for every 40 hours worked, up to 24 hours	<p><b>SB (1-9 EEs):</b> One hour of <i>unpaid</i> time off for every 40 hours worked, up to 40 hours</p> <p><b>LB (10 or more EEs):</b> One hour of paid time off for every 40 hours worked, up to 40 hours</p>	<p><b>SB (1-55 EEs in Emeryville/ 1-24 EEs in Berkeley):</b> One hour for every 30 hours worked, up to 48 hours</p> <p><b>LB (56 or more EEs in Emeryville/ 25 or more EEs in Berkeley):</b> One hour for every</p>	<p><b>SB (1-14 EEs):</b> 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><b>SB (5 FTEs to 9 EEs):</b> One hour for every 35 hours worked, up to 24 hours</p> <p><b>LB (10 or more EEs):</b> One hour for every 35 hours worked, up to 40 hours (24 hours for part-time EEs)</p>	<p><b>SB (1-9 EEs):</b> One hour for every 30 hours worked, can use up to 24 hours</p> <p><b>LB (10 or more EEs):</b> One hour for every 30 hours worked, can use up to 40 hours</p>	<p><b>SB (1-25 EEs):</b> One hour for every 30 hours worked, up to 32 hours in 2017 and up to 40 hours from 2018 onward</p> <p><b>LB (26 or more</b></p>	<p><b>SB (1-5 EEs) in Minneapolis:</b> One hour of <i>unpaid</i> time off for every 30 hours worked, up to 48 hours</p> <p><b>LB (6 or more EEs) in Minneapolis and all ERs in St. Paul:</b> 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

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

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

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		<p><b>Tier 3 (250 or more FTEs):</b> One hour for every 30 hours worked, can use up to 72 hours</p> <p><b>Tier 3 with paid time off (PTO) policy:</b> One hour for every 30 hours worked, can use up to 108 hours</p>	<p>to 40 hours</p> <p><b>Domestic Workers:</b> 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><b>LB (15 or more EEs):</b> One hour of <i>paid</i> time off for every 35 hours worked, can accrue up to 40 hours</p>			<p><b>EEs):</b> One hour for every 30 hours worked, up to 40 hours in 2017 and up to 72 hours from 2018 onward</p>	<p><b>NOTE (Minneapolis only):</b> 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><b>NOTE (St. Paul only):</b> 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.		
<b>Waiting Period for Accrual and Use</b>	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	



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
			employment	employment <sup>11</sup>	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

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

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
<b>Family Members Covered Other Than Self, Child, Spouse or Parent</b>	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 <sup>12</sup>						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	<b>SAFE:</b> Coverage for EE's DV, sexual	<b>SAFE:</b> Coverage for EE's or	<b>PHE:</b> Coverage for closure	<b>PHE:</b> Coverage for closure of	<b>SAFE:</b> Coverage for EE's or	--	<b>SAFE:</b> Coverage for EE	<b>SAFE:</b> Coverage for EE or family	<b>SAFE (Emeryville only):</b>	<b>PHE:</b> Coverage for closure	<b>SAFE:</b> Coverage for EE or	<b>SAFE:</b> Coverage for EE or	<b>SAFE:</b> Coverage for	<b>SAFE:</b> Coverage for EE or family	<b>SAFE:</b> Coverage for EE's	<b>SAFE:</b> Coverage for EE or

<sup>12</sup> East Orange does not cover relationships of in loco parentis.

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
<b>e, Coverage for Public Health Emergency and/or Coverage for Other Purposes</b>	assault or stalking  <b>Other:</b> Coverage for EE's or family member's bone marrow or organ donation	family member's DV, sexual assault or stalking  <b>PHE:</b> 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 <sup>13</sup>	family member's DV, sexual assault or stalking  <b>PHE:</b> Coverage for closure of place of business or child's school or place of care		or family member's DV  <b>PHE:</b> 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  <b>Other (Emeryville only):</b> 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  <b>PHE:</b> 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  <b>PHE:</b> Coverage for closure of place of business or child's school or place of care  <b>Other:</b> Bereavement leave in connection with family member	EE's DV, sexual assault or stalking	member's domestic abuse, sexual assault or stalking  <b>PHE:</b> Coverage for closure of place of business or family member's school or place of care  <b>Other:</b> 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)  <b>PHE:</b> Coverage for closure of place of business

<sup>13</sup> 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
														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  <b>Other:</b> 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

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	
																	other carryover allowed under the ordinance, to use exclusively for FMLA purposes
<b>Treatment of Collective Bargaining Agreements</b>	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; <sup>14</sup> 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	

<sup>14</sup> Plainfield only requires that the CBA expressly waive the law's protections.

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
		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; <sup>15</sup> 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

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

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
			their expiration													
<b>Applicability to ER's Existing Policy</b>	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 <sup>16</sup> <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

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



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
		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	

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
<b>Enforcement Agency &amp; Mechanisms</b>	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 or entity 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

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
				<p>Division of Health &amp; Social Services; Morristown Department of Administration</p> <p>Agency may file claim before Municipal Court;<sup>17</sup> relief includes fines up to \$2000<sup>18</sup></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

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

<sup>18</sup> 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.

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
				<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>		

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
														<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>		

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
<b>Private Right of Action</b>	Yes; may sue for back pay, damages, and/or reinstatement	No	No	Yes; may sue in Municipal Court, <sup>19</sup> which can impose fines or penalties; can impose any further relief including restitution, reinstatement, injunctive and declaratory relief <sup>20</sup>	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

<sup>19</sup> Jersey City allows plaintiffs to sue in any court of competent jurisdiction.

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

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
						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			

<sup>i</sup> 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>

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



- <sup>iii</sup> 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/>
- <sup>iv</sup> 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>
- <sup>v</sup> 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>
- <sup>vi</sup> 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](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)
- <sup>vii</sup> Vermont Department of Labor. (2014, January). *2013 Fringe Benefit Study*. Retrieved 25 February 2016, from <http://www.vtlni.info/2013FringeBenefitStudy.pdf>
- <sup>viii</sup> 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>
- <sup>ix</sup> 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/>
- <sup>x</sup> 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>
- <sup>xi</sup> 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>
- <sup>xii</sup> 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>
- <sup>xiii</sup> Go Hollo, T. (2013, March). Personal communication. (Senior Policy Associate, Economic Opportunity Institute).
- <sup>xiv</sup> Rankin, N. (2014, February). Personal communication. (Vice President, Community Service Society of New York); New York City Department of Consumer Affairs. (2015, June). *NYC'S Paid Sick Leave Law: First Year Milestones*. Retrieved 13 June 2016, from <http://www1.nyc.gov/assets/dca/downloads/pdf/about/PaidSickLeaveLaw-FirstYearMilestones.pdf>
- <sup>xv</sup> 30,000 workers gained access to paid sick days after the initial Jersey City law passed; the number of new workers who gained access following the law's 2015 expansion is under review. The number of workers who gained access to paid sick days after Plainfield's law passed is under review. Williams, C. (2013, December). Personal communication. (Research Analyst, Institute for Women's Policy Research); Center for Women and Work at Rutgers, The State University of New Jersey. (2014, August). *Access to Paid Sick Leave in Essex County, New Jersey*. Retrieved 17 August 2015, from <http://njtimetocare.org/sites/default/files/Fact%20Sheet%20Municipal%20PSL%20Essex.pdf>; New Jersey Time to Care. (2014, January 28). Newark City Council Passes Earned Sick Days Ordinance- Momentum Continues to Grow for Statewide Bill [Press release]. Retrieved 17 August 2015, from <http://www.njtimetocare.com/sites/default/files/Final%20draft%20NJTC%20Media%20Statement%20on%20Newark%20PSD.pdf>; Covert, B. (2014, September 3). Country's Newest Law Guaranteeing Workers Paid Sick Days Passes Unanimously. *ThinkProgress*. Retrieved 17 August 2015, from <http://thinkprogress.org/economy/2014/09/03/3478185/passaic-paid-sick-days/>; Covert, B. (2014, September 9). City Unanimously Approves Paid Sick Days for 10,000 Workers. *ThinkProgress*. Retrieved 17 August 2015, from <http://thinkprogress.org/economy/2014/09/09/3564864/east-orange-paid-sick-days/>; Ma, M. (2014, September 10). Paterson becomes fifth N.J. city to pass paid sick leave law. *NJ.com*. Retrieved 17 August 2015, from [http://www.nj.com/passaic-county/index.ssf/2014/09/paterson\\_becomes\\_fifth\\_nj\\_city\\_to\\_pass\\_paid\\_sick\\_leave\\_law.html](http://www.nj.com/passaic-county/index.ssf/2014/09/paterson_becomes_fifth_nj_city_to_pass_paid_sick_leave_law.html); Juega, M. (2014, November 1). Opinion: Support paid sick leave for Trenton's workers. *NJ.com*. Retrieved 17 August 2015, from [http://www.nj.com/opinion/index.ssf/2014/11/opinion\\_support\\_paid\\_sick\\_leave\\_for\\_trentons\\_workers.html](http://www.nj.com/opinion/index.ssf/2014/11/opinion_support_paid_sick_leave_for_trentons_workers.html); New Jersey Time to Care. (2014, August). *Access to Paid Sick Leave in Montclair and Essex County, New Jersey*. Retrieved 17 August 2015, from [http://njtimetocare.org/sites/default/files/Montclair%20Essex%20County%20Data\\_0.pdf](http://njtimetocare.org/sites/default/files/Montclair%20Essex%20County%20Data_0.pdf); Duffey, R. (2015, March 2). Bloomfield Becomes 9th City in NJ to Pass Earned Sick Time Ordinance. *Politicker NJ*. Retrieved 17 August 2015, from <http://politickernj.com/2015/03/bloomfield-becomes-9th-city-in-nj-to-pass-earned-sick-time-ordinance>; Covert, B. (2015, November 4). Paid Sick Leave Wins At The Voting Booth. *ThinkProgress*. Retrieved 17 November 2015, from <http://thinkprogress.org/economy/2015/11/04/3719095/elizabeth-paid-sick-leave>; Coughlin, K. (2016, September 14). Morristown tells employers to provide paid sick days. *MorristownGreen.com*. Retrieved 15 September 2016, from <http://morristowngreen.com/2016/09/14/morristown-tells-employers-to-provide-paid-sick-days/>; Unpublished analysis by the Institute for Women's Policy Research using the 2014 American Community Survey and the 2012-2014 National Health Interview Survey, September 20, 2016.
- <sup>xvi</sup> Williams, C. (2014, February). *Access to Earned Sick Leave in San Diego*. Institute for Women's Policy Research Publication. Retrieved 16 June 2016, from <http://www.iwpr.org/publications/pubs/access-to-earned-sick-leave-in-san-diego/>
- <sup>xvii</sup> Alcid, S. (2014, November 3). Oakland! Vote YES on Measure FF for Paid Sick Days. *MomsRising*. Retrieved 17 August 2015, from <http://www.momsrising.org/blog/oakland-vote-yes-on-measure-ff-for-paid-sick-days>
- <sup>xviii</sup> Healthy Tacoma. *Benefits for Tacoma*. Retrieved 17 August 2015, from <http://healthytacoma.net/benefits-for-tacoma/>
- <sup>xix</sup> Philadelphia Earned Sick Days. (2014, December 10). *FACT SHEET: Promoting Healthy Families and Workplaces, The 2015 Earned Sick Days Bill*. Retrieved 17 August 2015, from <http://www.phillyearnsickdays.com/p/fact-sheets.html>
- <sup>xx</sup> U.S. Census Bureau. (2015). *2010-2014 American Community Survey 5-Year Estimates, Geographies: Emeryville city, California, Table DP03: Selected Economic Characteristics*. Retrieved 10 June 2016, from [http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS\\_14\\_5YR\\_DP03&prodType=table](http://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?pid=ACS_14_5YR_DP03&prodType=table)
- <sup>xxi</sup> Unpublished analysis by the Institute for Women's Policy Research using the 2014 American Community Survey and the 2012-2014 National Health Interview Survey, September 20, 2016.
- <sup>xxii</sup> Murtha, T. (2015, August). *Victory! Pittsburgh Passes Earned Paid Sick Days*. Women's Law Project. Retrieved 17 August 2015, from <https://womenslawproject.wordpress.com/2015/08/03/victory-pittsburgh-passes-earned-paid-sick-days/>
- <sup>xxiii</sup> Willman-Cole, Y. (2016, June). Personal communication. (Assistant Director, Working Families Program at the Center for Women and Work at Rutgers, The State University of New Jersey).
- <sup>xxiv</sup> McDaniel, Adam. (2015, June). *An Unreasonable Choice: The Impossibility of Making Economic and Public Health Decisions in the Absence of Earned Safe and Sick Leave*. Spokane City Council Publication. Retrieved 27 January 2016, from <https://static.spokane.org/documents/citycouncil/interest-items/sick-leave/spokane-earned-safe-and-sick-leave-analysis.pdf>; Spokane Alliance. (n.d.). *Sick, Safe, and Family Leave*. Retrieved 27 January 2016, from <http://iafnw.org/spokanealliance/sick-and-safe-leave>
- <sup>xxv</sup> Unpublished analysis by the Institute for Women's Policy Research using the 2014 American Community Survey and the 2012-2014 National Health Interview Survey, September 20, 2016.
- <sup>xxvi</sup> Minneapolis Health Department. (2015, August). *Access to paid sick leave among working Minneapolis residents*. Retrieved 8 June 2016, from <http://www.minneapolismn.gov/www/groups/public/@health/documents/webcontent/wcms1p-147676.pdf>
- <sup>xxvii</sup> Xia, J. (2016, February). *Access to Paid Sick Time in St. Paul, Minnesota*. Institute for Women's Policy Research Publication. Retrieved 9 September 2016, from <http://www.iwpr.org/publications/pubs/access-to-paid-sick-time-in-st.-paul-minnesota>
- <sup>xxviii</sup> Milli, J., & Ulbina, D. (2015, April). *Access to Paid Sick Time in Los Angeles, California*. Institute for Women's Policy Research Publication. Retrieved 13 June 2016, from <http://www.iwpr.org/publications/pubs/access-to-paid-sick-time-in-los-angeles-california>; Reyes, E. A. (2016, April 19). 6 paid sick days for workers in L.A.? City Council says yes. *Los Angeles Times*. Retrieved 13 June 2016, from <http://www.latimes.com/local/lanow/la-me-ln-los-angeles-sick-days-20160419-story.html>
- <sup>xxix</sup> Josephs, M. (2016, September). Personal communication. (Director of Equal Opportunity Policy, Women Employed).

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<sup>xxx</sup> Illinois Department of Employment Security. (n.d.). *Where Workers Work 2016* (p. 13). Retrieved 4 October 2016, from <http://www.ides.illinois.gov/LMI/Where%20Workers%20Work/2015.PDF>; Williams, C., & Hayes, J. (2014, February). *Access to Paid Sick Days by Place of Work in the Chicago Metropolitan Area*. Institute for Women's Policy Research Publication. Retrieved 4 October 2016, from <http://www.iwpr.org/publications/pubs/access-to-paid-sick-days-by-place-of-work-in-the-chicago-metropolitan-area> (Unpublished calculation based on the percentage of private sector workers without paid sick days in the Chicago metropolitan area)

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](http://NationalPartnership.org).

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# IBEW1260

‘A‘OHE HANA NUI KE ALU ‘IA

February 6, 2018

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

## HB1727 - RELATING TO LABOR

Chair Johanson, Vice Chair Holt 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

**HB-1727**

Submitted on: 2/5/2018 8:26:35 AM

Testimony for LAB on 2/6/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Melodie Aduja	OCC Legislative Priorities	Support	No

Comments:



# HAWAII APPLESEED

## CENTER FOR LAW & ECONOMIC JUSTICE

Comments of Hawai'i Appleseed Center for Law and Economic Justice  
Pertaining to HB 1727 Relating to Labor  
House Committee on Labor & Public Employment  
Scheduled for hearing Tuesday, February 6, 2018, 8:30 AM, Conference Room 309

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

Thank you for the opportunity to provide comments on **HB 1727**, 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.

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

HB 1727 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 and more than 750 hours (close to 5 months of full-time employment) before they could use them. This would mean that many workers – especially part-time and low-wage workers – would not get meaningful access to paid sick leave.

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 provide an exemption for employers who pay their employees a certain amount above the minimum wage, as is seen in HB 1727.

This bill would also exempt workplaces with fewer than a certain number of employees. This provision, combined with those described above, would place large swaths of the working population outside the mandate of HB 1727.

These features would seriously reduce the expected benefits of a paid sick leave law, especially 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.

The 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.

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*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.*

**HB-1727**

Submitted on: 2/5/2018 9:09:42 AM

Testimony for LAB on 2/6/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Zachary LaPrade	Quicksilver Charters	Oppose	Yes

Comments:



Testimony to the House Committee on Labor & Public Employment  
Tuesday, February 6, 2018, 8:30 am  
State Capitol, Room 309

Testimony on Opposition to HB 1727, Relating to Labor

To: The Honorable Aaron Johanson, Chair  
The Honorable Daniel Holt, 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, 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. This bill may also be a hardship upon small businesses.

Thank you for the opportunity to testify.

**HB-1727**

Submitted on: 2/5/2018 11:42:39 AM

Testimony for LAB on 2/6/2018 8:30:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dirk Koeppenkastrop	IL Gelato Hawaii	Oppose	No

Comments:

To: Rep. Aaron Ling Johanson, Chair

Rep. Daniel Holt, Vice Chair

Members on Committee on Labor & Public Employment

Subject: HB1727 Paid Sick Leave

Date: February 3, 2018

My name is Dirk Koeppenkastrop and I am the founder and owner of IL Gelato Hawaii. I am a graduate from the University of Hawaii and as there were no higher-level jobs as a chemist my wife and I started a small business here in Honolulu seven years ago.

We make all natural high quality gelato (ice cream) here in Hawaii and sell wholesale to restaurants and operate two small retail locations. We have approximately 50 employees and most of them part time. The proposed bill is challenging the existence of our gelato business.

In our gelato stores we offer work to high school students and unskilled workers who often have their first jobs with us. They come with little to no experience and need a lot of training and supervision, which we provide.

A scoop of ice cream at our store is \$3.75 and already considered to be too expensive for local families. We get a lot of comments via social media and Yelp reviews that we are too expensive. Our labor cost has been rising from minimum wage \$7.25 to \$10.10 in recent years and food costs in Hawaii are the highest of the nation. Our rents are the highest of the nation also. Energy and insurance cost are higher than anywhere else. **It is very difficult to operate a business in Hawaii.**



Our industry has faced tremendous cost increases 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 cannot increase our scoop prices, as we would lose our local customers. If payroll continues to increase so substantially we need to close our business, which would challenge our existence and we could no longer offer entry-level jobs to those young people.

For all the reasons above, we strongly oppose this bill. Thank you for allowing us to share our view.

Sincerely,

Dirk Koeppenkastrop, Ph.D.

Owner



**Testimony to the House Committee on Labor & Public Employment  
Tuesday, February 6, 2018 at 8:30 A.M.  
Conference Room 309, State Capitol**

**RE: HOUSE BILL 1727 RELATING TO LABOR**

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

The Chamber of Commerce Hawaii ("The Chamber") **strongly opposes** HB 1727, 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 severely hurt job growth. In addition, it will require a huge burden on companies to manage the accumulation and usage of sick leave as written by this bill. Many small companies do not have a large administrative staff to help manage this new benefit.

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.

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.

**HB-1727**

Submitted on: 2/5/2018 1:12:24 PM

Testimony for LAB on 2/6/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Nicole	IL Gelato Hawaii	Oppose	No

Comments:

To: Rep. Aaron Ling Johanson, Chair

Rep. Daniel Holt, Vice Chair

Members on Committee on Labor & Public Employment

Subject: HB1727 Paid Sick Leave

Date: February 3, 2018

My name is Nicole Lueker and my husband and I are the owners of IL Gelato Hawaii.

We make all natural high quality gelato (ice cream) here in Hawaii and sell wholesale to restaurants and operate two small retail locations. We have approximately 50 employees and most of them part time. The proposed bill is challenging the existence of our gelato business.

In our gelato stores we offer work to high school students and unskilled workers who often have their first jobs with us. They come with little to no experience and need a lot of training and supervision, which we provide thoroughly and with passion. The skills our employees learn are valuable throughout their lives and give them an opportunity to grow into 'professionals'. However, this category of work also has its inherent problems with "no- shows" "sick calls" etc which is an ongoing challenge.

A scoop of ice cream at our store is \$3.75 and already considered to be too expensive for local families. We get a lot of comments via social media and Yelp reviews that we are too expensive. Our labor cost has been rising form minimum wage \$7.25 to \$10.10 in recent years and food costs in Hawaii are the highest of the nation. Our rents are the

highest of the nation also. Energy and insurance cost are higher than anywhere else. **It is very difficult to operate a business in Hawaii.**

Our industry has faced tremendous cost increases 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 cannot increase our scoop prices, as we would lose our local customers. If payroll continues to increase so substantially we need to close our business, which would challenge our existence and we could no longer offer entry-level jobs to those young people.

For all the reasons above, I strongly oppose this bill. Thank you for allowing me to share my view.

Sincerely,

Nicole Lueker

Co-Owner of IL Gelato Hawaii



Testimony to the  
House Committee on Labor & Public Employment  
February 6, 2018  
8:30 a.m.  
State Capitol - Conference Room 309

RE: HB 1727 Relating to Labor

Aloha Chair Johanson, Vice Chair Holt 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.



**HB-1727**

Submitted on: 2/5/2018 2:45:20 PM

Testimony for LAB on 2/6/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Chris Kasper	Calypso Charters	Oppose	No

Comments:

The Twenty-Ninth Legislature  
Regular Session of 2018

HOUSE OF REPRESENTATIVES  
Committee on Labor & Public Employment  
Rep. Aaron Ling Johanson, Chair  
Rep. Daniel Holt, Vice Chair  
State Capitol, Conference Room 309  
Tuesday, February 6, 2018; 8:30 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON H.B. 1727  
RELATING TO LABOR**

The ILWU Local 142 supports H.B. 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.

H.B. 1727 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.

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 are 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. The law should not allow employers to opt for the cheaper alternative. Further, H.B. 1727 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, with additional language to address the TDI concern. Thank you for the opportunity to share our views on this matter.



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February 6, 2018

**House Committee on Labor & Public Employment**

**Hearing Date: Tuesday, February 6, 2018 at 8:30 a.m., Conference Room 309**

**Subject: Comments Regarding HB 1727, Relating to Labor**

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

The American Council of Engineering Companies of Hawaii (ACECH) represents more than 65 engineering consulting firms with over 1,500 employees throughout Hawaii. ACECH member firms work directly for government agencies on a variety of building and infrastructure projects.

The purpose of HB 1727 is to establish the right for minimum wage workers to accrue paid sick leave.

Virtually all of the 1,500+ employed by our member firms earn more than the minimum wage and most of our member firms already provide paid sick leave or paid time off (PTO) to their full-time and half-time staff, as part of a competitive compensation package.

Of the paid sick leave bills that have been introduced this Session, we prefer the current bill because it would provide paid sick leave benefits to those who need it most, i.e. minimum wage workers, without significantly increasing employers' administrative effort and costs; and because the current bill preserves employers' ability to create flexible compensation and benefits packages.

Specifically, we support the proposed Applicability language on page 14, item 6 and would recommend that the proposed chapter should not apply to employer that pays employees **20%** more than the minimum wage; or employs less than **75** employees.

We appreciate the opportunity to provide comments on this matter. Please do not hesitate to contact us if you have any questions.

Respectfully submitted,  
AMERICAN COUNCIL OF ENGINEERING COMPANIES OF HAWAII



**HB 1727**

**LATE  
TESTIMONY**

**LATE**



**TESTIMONY OF TINA YAMAKI  
PRESIDENT  
RETAIL MERCHANTS OF HAWAII  
February 6, 2018**

**Re: HB 1727 Relating to Labor**

Good morning Chair Johanson and members of the House Committee on Labor and Public Employment. 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 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 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.

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.



**LATE**

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

From: Michael Miller, Tiki's Grill & Bar  
Subj: HB1727 Paid Sick Leave  
Date: Monday, February 5, 2018

Thank you for the opportunity to provide testimony. We, at Tiki's Grill & Bar, hereby oppose HB1727

We are a locally owned and operated restaurant in our 15th year of business. Our owners and myself are all graduates of the University of Hawai'i at Manoa and are very active in our community.

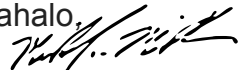
With Hawaii's low unemployment rate, employees have the opportunity to work at other establishments around town. We do offer paid time off as a competitive edge, as opposed to some other employers that may not be able to afford this. Our employees enjoy discounts, company events and company-sponsored 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 a popular destination location in Waikiki 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 the 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,  


Michael Miller / Director of Operations  
michaelm@tikisgrill.com

**HB-1727**

Submitted on: 2/5/2018 4:36:43 PM

Testimony for LAB on 2/6/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kari Benes	Individual	Support	No

Comments:

**LATE**



**Before the House Committee on Labor & Public Employment**

DATE: February 6, 2018  
TIME: 8:30 a.m.  
PLACE: Conference Room 309



**Re: HB1727 Relating to Labor**

Testimony of Melissa Pavlicek for NFIB Hawaii

Aloha Chair Johanson, Vice Chair Holt 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**

Testimony to the House Committee on Labor & Public Employment  
February 25 2017

Re: House Bill 1727 RELATING TO LABOR

Members of the Committee on Labor and Public Employment: Rep. Aaron Ling Johanson, Vice Chair  
Rep. Daniel Holt, Vice Chair

POSITION: STRONGLY OPPOSE

My name is Monica K. Toguchi Ryan, and I own a 70-year old family business, Highway Inn.

The objective of ensuring that people in the state that need time off from work to prevent the propagation of illness at the workplace is laudable and has our support. Many companies, including ourselves, provide that benefit to our full-time workers. Moreover, many of our part-time workers already have full-time employment benefits (and may double-dip if benefits are thus extended), and many of our part-time workers are seasonal (e.g. college students), or they are part-time employees who value the flexibility to work when they want, and do not treat their part-time work with us a primary source of income.

In other words, the population of workers this bill is targeting is very small in proportion of total workers, and it is even more unlikely that these employees retain their employment for more than a year – that is simply the way it is, regardless of employer or industry. This bill asserts assumptions that are simply untrue. This bill does not provide employers with a competitive advantage and neither does it reduce turnover. All it simply does from an economic view point is raise business and administrative costs.

Therefore, burdening small businesses with this task will simply make employers pay more attention to the work history of the part-time employees they hire, and raise businesses' costs more than the benefit that would flow to those people genuinely in need of time off from work. Therefore, not only will this bill have limited effectiveness, it will do nothing to address a serious situation where employees of all classifications went to during the Hepatitis A outbreak last year, where symptoms did not show for weeks, but contagion nonetheless was present.

Moreover, the system will get abused and likely generate more administrative costs for the state. The Department of Labor, Labor Lawyers and Employers will burn more time and energy on the application and interpretation of this law than the benefits it aims to convey. A very practical example is determining what specific time-off a part-time employee is requesting when that part time employee is not on the work schedule beyond the current week.

We firmly believe that the way this issue is resolved is through creating a sick-leave insurance program for the targeted population or other state managed solution, and not further burdening small businesses, resulting in increased consumer prices, and let small businesses make a vibrant economy such that the state's tax budget is met.

I strongly oppose HB1727 and believe it should not be progressed. Thank you for the opportunity to submit this testimony.

**HB-1727**

Submitted on: 2/6/2018 1:37:57 PM

Testimony for LAB on 2/6/2018 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jon Miyabuchi	Minit Stop Stores	Oppose	No

Comments:

We are opposed to this bill. HB1727 will increase employment costs, increase absenteeism, and reduces the ability for companies to remain competitive and ultimately, profitable. Hawaii already is one of the most unfriendly states in the U.S. in which to conduct business. Costs to do business in Hawaii are also some of the highest in the country and our state government regularly overreaches with regulations and red tape.. HB1727 adds to this already overburdened situation and does nothing to help businesses compete.

Many of the assumptions in this bill are also factually incorrect and are not based on any relevant scientific evidence or studies. The bill is horribly written, is severely out of touch with reality, and blatantly ignores the daily challenges businesses face.

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**LATE**