

PA 11-052

SB0913

House	7072-7676	605
Labor	965-968, 980-989, 1054-1160, 1164-1200, 1204-1539, 1541	495
<u>Senate</u>	<u>2773-3056</u>	<u>284</u>
		<b>1384</b>

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SPEAKER DONOVAN:

The House will please come back to order.

And will the Clerk please call Calendar Number 555.

THE CLERK:

On page 27, Calendar Number 555, Senate Bill Number 913, AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES. Favorable report by the Committee on Appropriations.

SPEAKER DONOVAN:

Chair of the Labor Committee, Representative Zalaski, you have the floor, sir.

REP. ZALASKI (81st):

Thank you, Mr. Speaker.

Great day to be here. It's a perfect day to be here for dress down day for me, especially.

I think we all know here we're -- oh, okay.

I move for acceptance of the Joint Committee's favorable report and passage of the bill in concurrence with the Senate.

SPEAKER DONOVAN:

Question is acceptance of Joint Committee's favorable report passage of the bill in concurrence with the Senate.

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Will you remark, sir?

REP. ZALASKI (81st):

Thank you, Mr. Speaker.

I think we all know here we're -- we are here today to make history, and I'm glad it's such a nice day out there to do so.

I wanted to make sure that everybody in the House knows that we are not here to speak about the captive audience meeting so anybody that feels that they can leave, they can.

Mr. Speaker, this bill requires employers with 50 or more employees to be paid a paid sick leave. To acquire this -- acquire the hours, you get one hour for every 40 hours that you work. The employer will provide paid sick days to service workers in 68 federally - federal standard occupational classifications that are paid by the hour.

The bill begins January 1st, when they will start to accrual 2012. If you have worked -- you must have worked for the employer for 680 hours. You must work for the employer an average of at least 10 hours in the most -- with which you are listed on the most recent completed calendar quarter report.

One of the important things of this bill to remember, because it's been questioned -- there's been many questions about that throughout the last few weeks is that this bill excludes manufacturing and tax exempt organizations. Day and temporary workers are -- and nonhourly employees, like salaried employees, are off -- are also excluded.

Service workers also can use sick leave for spouse or child sickness. Employers -- employers does not have to be -- employers will not have to provide paid sick leave for any reason that is not specified in this bill.

Employers may file a complaint with the Labor Commission. There is a \$100 fee -- \$100 for a violation of this and a \$500 civil penalty for a violation for retaliation of this provision.

And, Mr. Speaker, I -- I asked that we all move -- any debate we have now. Let's rock.

I ask the LCO read -- calls --

SPEAKER DONOVAN:

Representative, you can move -- I believe there's a Senate "A" --

REP. ZALASKI (81st):

Oh, yeah. Can we move Senate "A."

Call Senate "A" -- Number 7200.

SPEAKER DONOVAN:

Will the Clerk please call LCO Number 7200,  
which is previously designated Senate "A."

THE CLERK:

LCO Number 7200, Senate "A" offered by Senator  
Prague, Representative Zalaski and Senator Meyer.

REP. ZALASKI (81st):

I ask -- I ask that I take leave of the Chamber  
and summarize.

SPEAKER DONOVAN:

Representative asked for leave of the Chamber  
and asked to summarize the amendment.

Hearing no objection, Representative, you may  
proceed with summarization.

REP. ZALASKI (81st):

Mr. Speaker, this -- this amendment has made  
many changes from the original bill. As I already  
stated, we have excluded manufacturing and tax  
exempt organizations, nationally recognized  
organizations. And the employers are deemed to be  
in compliance if they already offer the same type of  
-- the exact same type of benefit. In other words,  
if you get a week of vacation already, you will

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already be in compliance with the bill, or if you already receive sick days, you're already in compliance with the bill.

It also states that a person can take a paid sick day for a -- a service worker can take a paid sick day for -- if they are a victim of family violence or of sexual assault.

And I move adoption.

SPEAKER DONOVAN:

Question is upon adoption.

Will you remark further? Will you remark further on the amendment.

Representative Rigby.

REP. RIGBY (63rd):

Mr. Speaker, ladies and gentlemen --

SPEAKER DONOVAN:

Good afternoon, sir.

REP. RIGBY (63rd):

Good afternoon.

Today, we finally begin the much anticipated, much talked about debate on the amendment and underlying bill that mandate paid sick leave for the businesses in our state.

The vote today on the amendment and underlying

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bill could very well be the most important vote you cast during this session. I could tell you with absolute certainty that the eyes of the business community are on us, not just in Connecticut, but -- but nationally. Because if this bill and this amendment were to become law, we'd be the only state in the union with such a mandate on the business community.

And you're very likely going to have to defend this vote -- this vote in a -- a few different venues. Whether you're out campaigning next August going door to door in 90-degree heat, you can very well expect that Mr. Wilson is going to ask you, how'd you vote on this -- this paid sick leave bill?

When you're facing your primary challenge or your general election opponent and he challenges you to a debate, you can bet that this bill is going to be the subject of discussion. So the way you vote on it could very well mean the difference between winning and losing your seat.

You know, our state has lost 100,000 jobs since this recession began. 15,000 businesses have gone under as a result of this horrible economy. And one out of 11 Connecticut residents is currently out of .

work.

In the coming months, Connecticut businesses are going to be hit with a \$70 million unemployment tax increase. Mandating paid sick leave at this time in this economy is the wrong idea at the absolute wrong time.

Two things about this amendment are clear. The first -- the first thing that we need to understand and consider is that proponents argue this amendment is a matter of public health. This -- this mandate is required to protect our children, our families and our elderly from -- from sickness and disease but amazingly the Senate, in an effort to get this passed by just one vote, stripped out the largest child care provider in our state.

The other thing that -- that you won't hear anybody refute is that this bill and underlying amendment have a cost to the business community. We're going to discuss that cost today. There's different opinions on how much it's going to cost, you know, per hour, per year, per employer. It's not clear who is going to bear the cost of it. Is it going to be the employee who works for minimum wage? Is it going to be the employer, or is it

going to be the customer in a restaurant?

Those are things that we're going to consider today but I ask you all to listen to the debate. Participate, don't vote yes for this because Representative Zalaski is a great guy, which he is, he's an excellent guy, but I want you to really consider your vote and how it impacts the business community.

Those business that provide jobs for the residents of our state. I know the Governor supports it, and I know that he's asked you to support it but when you're campaigning and trying to hold on to your seat, you're going to be by yourself in front of that voter.

So let's show the state of Connecticut that we are indeed open for business and that this legislature is pro jobs, pro growth and pro business.

Mr. Speaker, through you, some questions to the proponent of the amendment.

SPEAKER DONOVAN:

Please proceed, sir.

REP. RIGBY (63rd):

Thank you.

Mr. Speaker, do any other states have such legislation in place or have they tried to pass legislation, such as the amendment we're discussing today?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you Mr. Speaker.

None that have passed of yet.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Through you.

The State -- the City of New York, last year, considered such a measure as the amendment we're considering today and that measure was actually repealed after just a short amount of time.

Can Representative Zalaski explain to the members of the Chamber why that measure might have been repealed?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you Mr. Speaker.

No, I can't.

SPEAKER DONOVAN:

Representative Rigby.

REP. ZALASKI (81st):

I just personally don't know.

REP. RIGBY (63rd):

Mr. Speaker, through you.

The accounting firm of Ernst & Young provided some data. They did a survey of study for the City of New York. And in that study they found that in the course of one year, if there was a sick day mandate in effect, just like the amendment we have before us, it would cost the City of New York \$789 million a year. And that, you know, even though the city council could have easily passed the measure, that cost was so significant they decided to abandon it at the last minute.

Mr. Speaker, through you, 86 percent of the businesses in Connecticut currently offer paid time off, vacation time or time that could be used for

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sick time. Why is it that we have to adopt such --  
such a legislation if so many companies offer this  
benefit already?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Yes, through you, Mr. Speaker.

And -- and I think mainly it's because many  
healthcare workers, school bus drivers, people that  
handle our food do not having kind of vacation time  
or sick time.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

Mr. Speaker, through you.

If I was someone who wanted to -- to take a job  
that offered that paid sick time benefit, is there  
anything currently in statute that would prevent me  
from seeking out and getting a job that offers paid  
sick time.

Through you.

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SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Not that I'm aware of.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

So, currently, we know that the majority of Connecticut firms provide a sick time benefit for employees and if somebody has a situation in their life that requires that they have paid sick time, they can seek out and find one of those employers that offer that benefit.

Mr. Speaker, can Representative Zalaski estimate for the members of the House what the cost might be on an hourly basis to a business that implements this mandate?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you Mr. Speaker.

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I've seen estimates of 17 cents per hour.

Through you Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

The -- you know, CBIA, Connecticut Business and Industry Association provided us with a -- a large amount of data they've assembled from across the United States. And Representative Zalaski's correct when he says that 17 cents an hour would be the low end of the spectrum but it can go as high as 57 cents per hour depending on the type business that it's impacted by this amendment. And if you look at a 57 cent per hour increase that -- that -- it's equivalent to \$1200 per year.

The University of California in Irvine did a study because the City of San Francisco adopted such a measure not long ago and that -- that study revealed that the people that are impacted most by this sick leave mandate are those that earn minimum wage. And when the City of San Francisco adopted sick leave, you know, paid sick leave they actually lost 5 percent of the minimum wage jobs within that

city.

Does Representative Zalaski believe that Connecticut will see such a loss in minimum wage jobs?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I do not believe that and I don't have any, you know, I don't see any -- I have not seen that report that you're speaking of but I know I've just heard on the radio the other day that the -- San Francisco has paid sick days. Their paid sick days are actually for any employer, not just 50 or more. So -- and having heard the -- the -- San Francisco sent the manager of Office of Labor and Statistics Enforcement sent a report to us that said, you know, how few, you know, how little trouble they've had with administrating that bill, which they have had since 2007.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

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REP. RIGBY (63rd):

Thank you.

I appreciate the Representative response. I have a copy of the study that the University of California at Irvine provided to the City of San Francisco.

Another important feature within the study is that the layoffs could affect the minimum wage workers. Hit hardest the black and Hispanic community, those people between the ages of 20 and 24.

And what they found was if an employer has this mandate put upon them, no matter what type of business they're engaged in, with a minimum wage worker you can't cut their salary to offset the cost of this benefit. And we know it has a cost, it's a question of how much it actually it costs. So if you have a minimum waged employee, your only choice is to -- to let him or her go in order to make your business profitable and recover from this mandate.

Mr. Speaker, through you, another question for Representative Zalaski. If an employee is a member of the collective bargaining unit and they negotiate a contract that does not include paid sick time, how

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would that be treated under -- under this amendment  
-- with the --

Through you Mr. Speaker.

SPEAKER DONOVAN:

I don't want to interrupt you, Representative.  
Are you finished with your question, sir?

REP. RIGBY (63rd):

Would -- would this legislation render that  
agreement null and void?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

No, it would not.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

So if this amendment were to become law, those  
individuals who are part of that collective  
bargaining unit, would they still go without sick  
days?

Through you.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Through you Mr. Speaker.

Normally in all collective bargaining agreements in all the years that I've been active in unions, which is 33, I've never seen a place that didn't give some type of time off, in other words, they would get vacation time, personal days, or some type of days off. So I -- I don't see how that would fit in your calculation.

Through you Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you. Mr. Speaker.

If an employee were to negotiate with an employer and as a condition of their hire they said they wanted to be paid a little bit more money but forgo any sick time, vacation time, or personal days. So you know pay me another \$1 an hour and I'll give up those benefits, would that be allowed under -- under this amendment?

Through you.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Through you Mr. Speaker.

No.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

Mr. Speaker, if this amendment does become law and an employee comes into work sick, what would happen to that employee or employer under this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Could you repeat the question, I'm not sure I got the drift.

REP. RIGBY (63rd):

Sure, sure.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Mr. Speaker, through you.

If this amendment were to become law and an employee goes into work sick, under this amendment what would happen to the employee or employer?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Well, I don't think anything would happen to the employee or he might get sicker and if he coughs on his employer, I would imagine he'd make him sick.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you for the -- for the answer.

During the committee process, the Labor Committee heard testimony during the public hearing, CBIA offered testimony saying there were strongly opposed to this measure. Can the Representative tell the Chamber why CBIA would still oppose this measure given that lines 25 and 31 of the amendment strip out a large segment of our business community?

Through you.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I can't say that I speak for CBIA or the Governor but I would have to say that CBIA is in -- is in the business of I'm the boss and you're not going to tell me what to do.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

So -- so the CBIA opposes the -- the mandate because it's the legislature essentially dictating employment policy to -- to an employer.

Through you, is that correct?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you.

I wouldn't say the word "dictate" -- "dictating" to them but we're trying to offer them a -- a sick day policy that we feel they should have.

Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you Mr. Speaker.

So if this is an offer to the business community, is there anything in this amendment that would allow a company to opt out of this mandate?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Not if they're not a manufacturing -- in the manufacturing business or in a Y.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

If a -- if a Connecticut firm has a manufacturing facility in Meriden where they make automotive components and then in Enfield they have a marketing sales and service office. Would the marketing, sales and service office of this company

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fall under this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Could you -- I'm sorry. Could you just repeat that question one more time?

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Be happy to repeat it.

If a manufacturing firm that's headquartered in Connecticut has a manufacturing plant in the city Meriden where they make automotive components and the same firm has a facility in Enfield that handles sales, marketing and customer service. Would the -- would the operation in Enfield be subject to the amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Thank you, Mr. Speaker.

Anybody that -- if -- if their service workers

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covered under the bill then, yes, they are covered.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Mr. Speaker, the -- the amendment makes reference to the North American Industry Classification System and it specifically calls out the manufacturer of automotive components. So my understanding, my reading of this amendment would -- would say that no employee of this firm would be subject to this amendment.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't believe that that's true.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Through you.

Can Representative Zalaski direct me to language within the amendment itself that that might offer clarity to members of the House?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Can I have a second, through you.

SPEAKER DONOVAN:

Please.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I think it's lines 39 through 42, which says, employee primarily engaged in an occupation.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

So if -- if Representative Zalaski's correct in that and this -- this line of the amendment makes that distinction than certain divisions of manufacturing companies would be covered by this amendment.

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Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

John, again, I'm sorry. Would you repeat that quickly again. I'm sorry.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Happy to repeat it.

So if Representative Zalaski's correct and certain -- certain divisions of a manufacturing firm are subject to this amendment then this amendment does cover manufacturing companies and -- and certain divisions of those companies; is that correct?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It's the total of the employees that are over 50 that count towards but the only people that would receive benefit of the paid sick days are service

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workers covered under the bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you Mr. Speaker.

So let's say there's a company that -- that makes parts for aircrafts and this company happens to have manufacturing in the back of the building. It's a 10,000 square foot building. 15,000 square feet is dedicated to production. There's a manufacturing set up in the back. And in the front is sales and marketing and customer service. Through you, Mr. Speaker, would the people in the front performing sales, marketing, customer service be covered by this amendment?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you Mr. Speaker.

Yes, they would.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

I know Representative Zalaski's very familiar with manufacturing, having worked over 30 years himself in a manufacturing firm, making automotive components. If a person works in production on the shop floor and then also provides a customer service function, updating customers about delivery, lead-time on certain parts. Would that person be covered by this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

If that's his primary -- if service worker is his primary, yes, he would; if not, he would not.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski - Representative Rigby.

REP. RIGBY (63rd):

Thank you.

Mr. Speaker, the individual who I described spends 50 percent of his workday on production, manufacturing capability, and operation and the

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other 50 percent he provides customer service support. Would he be covered by this amendment?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't think that I would be the one that would call that. I think the Department of Labor if there was a problem would make the determination.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Mr. Speaker, my concern is that if -- if we, in the House, can't make the distinction between who's covered by this amendment and who's not, I believe clarification is required before we go further.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative, seems to be a statement more than a question. Do you have a question?

REP. RIGBY (63rd):

I do, Mr. Speaker.

Would Representative Zalaski agree that we should clarify my -- the answer to my question before we -- we continue further?

Through you.

SPEAKER DONOVAN:

Thank you.

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

No, I wouldn't because I think that company should pay that person whether he does 50 or 60 percent but that's just my opinion.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Okay, so, Mr. Speaker, the -- the employee should be covered under this amendment even though -- even though there's no language specific to a person who divides his function between production and customer service; is that correct?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

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REP. ZALASKI (81st):

The language says "primary."

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Mr. Speaker, is there any language in this amendment that might deal with abuse by an employee of a -- of a sick leave mandate?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Yes, there is.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you Mr. Speaker.

Can the Representative provide the -- the line where that language is?

Through you.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.  
Section 3, paragraph C.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.  
Mr. Speaker, is there any language in this amendment that might help ease Connecticut's 9 percent unemployment rate?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.  
Yes, it is my opinion and many of the other people in this room that feel that it would cut down on turnover in places and a happy employee is a better employee.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Mr. Speaker, lines 18 through 31 of this amendment described an employer. And lines 20, 21, state that an employer is an entity that has 50 or more individuals in that state and any one quarter of the previous year. And through you, Mr. Speaker, does that -- would that cover seasonal workers as well?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

The temporary and -- temporary workers are -- are not in the bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

I'm referring to somebody that -- that would work full time and they'd return every year to this same company to engage in, say it was an agricultural activity where they would only work seasonally. So the only job they have is with this

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employer and they return there each season. Would that individual be covered by this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

No, they would not because once you've terminated your employment for a period of time or once you've terminated under the bill, you -- you have start up again your hours.

Through you Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

In order to -- to qualify for this -- this policy, this mandate, the company must have 50 or more employees during one quarter of the previous year. If an employer brings additional employees during the summer, would those employees go towards the total 50?

Through you.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Yes, they would.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

I appreciate the Representative's answer.

And through you, Mr. Speaker would -- could this amendment lead an employer to bring in fewer workers during -- during the summer season and bring in fewer, you know, college kids that are home for the summer in order to stay below that threshold for that quarter?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I think that if they need the workers, they hire them. If they don't, they don't but they wouldn't, that would be my estimation.

Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

In order to avoid being covered by this mandate, an employer could essentially, you know, trim three workers from his payroll. If he were to do that on the effective date of this amendment, January 1, 2012. If he were to drop his workforce to 49, would this amendment still apply to his firm?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

No.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Many, many Connecticut companies have employee handbooks that outline benefits offered to employees. They -- they spell out different policies that the companies enforces. A number of

those employee guidebooks have information and language concerning sick time. If an employee handbook calls out very specific disciplinary action and measures for abuse of paid sick time, would that handbook have to be amended in order to comply with Amendment?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Just by your description, it doesn't seem -- if you're -- if you leave work, whether you had sick days or not and you are just at the beach, they could discipline you. So I don't think it's any different than if you had sick days.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

I -- I looked at one handbook that was brought home by a member of my family. And in that handbook, it specified that if you were to abuse the paid sick time benefit more than three times in a

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calendar year, you would be -- you could be terminated from your position. Would that be allowed under this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't think the bill says what you, as an employer, could do to somebody for taking a sick day when they shouldn't, you know, when it wasn't covered under the bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

The Amendment mentions, you know, an employee being sick, is there any language in the amendment that -- that would specify how sick an employee would have to be in order to have to take advantage of this measure?

Through you.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't believe so.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Lines 25 and 26 refer to business establishments classified in Sections 31, 32 and 33 of the North American Industrial Classification System. Can Representative Zalaski explain to us what that is and why it was chosen to define certain firms?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I think that's a nationally known site that you can go on and find any classification for any workers there are throughout the country.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

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Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

I have a copy of the North American Industry Classification System and it's very extensive. And it covers a wide range of -- of companies, but I wonder the US Department of Labor has a very similar system for classified businesses in our country, as does OSHA and as does the US Census Bureau. Why weren't one of those -- why weren't one of those other classification systems chosen?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would say that we like this one better, I guess, because, you know, I can't say for sure why that was picked out.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

I went through the North American Industry Classification System listing looking for certain types of businesses that are within our state. Mr. Speaker, through you, would a company that creates metal stampings, deep drawn metal stampings be covered by this classification system and therefore exempted under this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Well, I can -- I can talk firsthand about that because they do that in plant. We consider that manufacturing so they would not be covered under -- they would be exempted from this bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Just so I'm clear, so even though they're not specifically listed under the North American Industry Classification System, they would still be

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exempted under this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Yes.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

I have a company in my district that fabricates metal products, would they be -- would they be covered -- would they be exempted under this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would say so, yes.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

Mr. Speaker, on line 69 of the amendment before us it lists childcare workers as being covered by this amendment. When I go to lines 25 through 31, there's an exemption here provided. And the exemption says, any nationally chartered organization exempt from taxation, under Section 501(c)3 of the Internal Revenue Code of 1986 or any subsequent corresponding Internal Revenue Code of the United States, as from time to time amended that provides all the following services: recreation, childcare and education.

Mr. Speaker, through you, can Representative Zalaski explain what this Section means?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

I think so, Mr. Speaker, it's the YMCAs.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

And through you.

Why would -- why YMCAs be exempted by this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

During many meetings to craft this amendment, as is, we -- the YMCAs had come to us specifically because they have a unique situation in which they have a large number of employees that work in a wide range of occupations. Some of which are covered in the bill and others that were not. That was a common issue for them so we decided that for that time -- for the time being, we would -- we would exempt them from the bill based on their unique circumstances.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

In my district I have the Northwest YMCA and their director sent me several emails and called me

a bunch of times, expressing to me that he -- his YMCA system could not afford this mandate, it was simply too expensive. His YMCA did not have the resources to cover the cost of it and that he might be forced to lay off workers.

Mr. Speaker, through you, was the -- was the extreme financial burden on our YMCAs a factor in exempting them from this amendment?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

And that's a great point because I -- I heard the exact same thing from my director from the Southington Y in the minimum wage debate. He had come up here with his whole board and told me how many people they would have to lay off because of it. I know for a fact, they didn't lay any off and it didn't affect them so I don't think that it fits in this place.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

So just so I'm clear and just so my colleagues

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are clear, financial considerations, relative to YMCAs were not a factor in exempting them from this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

No, we took their overall mission into consideration when we did this bill for them.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

It says on line 27 that any nationally chartered organization, exempt from taxation under 501(c)3, would be exempted from this amendment. Would that -- would the -- would the YMCA need to have a congressional charter in order to be exempted by this amendment and to be national -- nationally chartered?

Through you.

REP. ZALASKI (81st):

Through you -- sorry.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

We had our legislative people look that up and they said that they wouldn't really have to be nationally chartered even though almost all Ys, if not all, Ys are.

Through you.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

If -- if there was a YMCA within our state that wasn't nationally chartered, say they just had a local charter, would they be exempt under this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

They would be exempt from the bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

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Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

We looked for other firms that might be included that might enjoy an exemption under this amendment using the description provided on lines 26 through 31. And I -- I wonder, through you, Mr. Speaker, if the American Red Cross would be considered exempt in the amendment before us?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

They would have to fit all three of the definitions.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

And for -- for clarification so if they -- if they provided recreation, childcare and education, they would be exempt?

Through you.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Yes.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

I thank Representative Zalaski for his answer. So if -- if an organization, like the American Red Cross, provided an employee softball game every -- every month during warmer -- warmer weather, they offered childcare for their employees. If they had childcare on site and if they provided education in the form of a CPR class or a first aid Class, would they meet the requirements of line 31?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I do not believe so.

SPEAKER DONOVAN:

Representative Rigby.

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REP. RIGBY (63rd):

Thank you, Mr. Speaker.

So just so I'm clear the American Red Cross would not be -- not be covered under lines 25 through 31 under this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

They would have to fit all three definitions as I stated before.

Through you.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

Mr. Speaker, through you.

Public health was -- was always provided as a -- as a concern and a reason for this mandate. You know the health and well being of our children and those -- those firms that provide childcare were --were considered to be the -- the prime beneficiary of this amendment. Why -- why is it that we're

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taking the largest provider of childcare in our state, the YMCA, and exempting them from this -- this requirement, this paid sick leave?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Because as I stated I think previously, that we -- because of their overall mission, that's the reason we -- it's not to say down the road that they -- we might re-examine it and if Representative Rigby would like to work on that next year, maybe we will.

Through you Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

I know this -- this amendment originated in the Senate but why did the Senate not just simply say YMCA -- the YMCAs are exempted? Why did they use the language outlined in 25 through 31?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I -- I -- you know, I would have to say I'm not a lawyer, I actually don't -- can't really tell you why they used this.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

My -- you know my 4-year-old and my 11-year-old both have received childcare at my local YMCA at various times. They've also taken swimming lessons there and participated in different types of games and activity. And certainly if -- if there was a paid sick leave policy for other childcare providers, I'd want the YMCA to also have this same, you know, the same protections afforded by this amendment.

You know, in May, we spent 11 or 12 hours debating a bill that concerned captive audience. And during that debate Representative Zalaski had a letter from Attorney General Jepsen that stated that

the bill, as amended, did not violate National Labor Relation Act or the US Constitution. And then we found out a week later that -- that bill did indeed run contrary to federal law and the bill can't go apparently any further in its current form. So we spent 12 hours of valuable time debating a bill that is essentially was unconstitutional in that form that we considered. Attorney General Blumenthal also weighed in on the matter.

And, you know, based on the answers provided by Representative Zalaski, were -- it's clear that certain childcare workers would be protected under this amendment, while others would not. Workers at the YMCA would not have access to paid sick leave but workers at a private daycare would -- would have this benefit.

Mr. Speaker, through you, does this amendment violate sections of the 14th Amendment of the Constitution, namely, the Equal Protection Clause, which says that state's have to provide equal protection under the laws. So one -- one group cannot be protected while that same group at a -- at a different facility is not.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

During the question, the Attorney General's name was brought up and just would like to clarify that he didn't really call it preemptive but be that as it may. I -- I don't think that this would have any problems standing in the muster, sort of speak.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

Did Attorney General Jepsen reveal -- review the amendment before us?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

No, he did not.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

Mr. Speaker, the 14th Amendment is clear regarding equal protection. And through our first few minutes of debate, we've revealed that certain segments of childcare workers in our state are going to enjoy protection and paid sick leave if this amendment become law -- if the amendment becomes law while workers doing the exact same function, performing the same job at a YMCA are not going to be covered.

And we're not -- we're not clear on the reason why this is but certainly they're not receiving equal protection, these childcare workers.

So, Mr. Speaker, through you, should we not get Attorney General Jepsen to review the amendment before we spend many, many hours on this beautiful weekend debating this bill?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It brings up great point and that is we -- that would be like saying that why are we penalizing

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people that have under 50 employees. You know, are they being, you know, so I really don't see why the Attorney General would be called in to review this. Our legal staff has helped write this so.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Does Representative Zalaski have any letter or document from his legal staff that could help us ascertain that this amendment does not run in contrary to the 14th Amendment and the Equal Protection Clause?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

The legal staff that I have is the same one that Representative Rigby has and, no, I don't -- I haven't asked them for -- you know, they wrote the bill, I didn't so.

Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Did Representative Zalaski discuss the 14th Amendment as it relates to this amendment with any member of our legal staff?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

No, I did not.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Not being an attorney myself, I'm going to move on to a different -- a different topic, you know, given that the constitutionality of this bill relative to the 14th Amendment, perhaps, could be developed later on in this debate.

Mr. Speaker, on line 34 of the amendment, it refers to retaliatory personal action. Can

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Representative Zalaski explain what that term means?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski

REP. ZALASKI (81st):

Thank you, Mr. Speaker.

I believe it means what it says here later in the Senate. It says, means any termination, suspension, constructive discharge, demotion, unfavorable reassignment, refusal to promote, discrimination action or advise -- adverse employment action.

Through you -- I think.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Mr. Speaker, retaliatory action, it seems like it refers to an employee or service worker but then I'm confused by the idea that it says, taken by an employer against an employee or service worker. Aren't employees exempt by the language above under this amendment?

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Through you.

SPEAKER DONOVAN:

Representative Zalaski

REP. ZALASKI (81st):

Through you Mr. Speaker.

Even a service employer -- employee is an  
employee.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

I'm just going to refer to the -- the  
definition given. So it's says on -- on, let's see  
this is line number 16, that an employee means an  
individual engaged in service to an employer in the  
business of an employer. So somebody that has an  
employee that's not a service worker could be  
subject to discipline, retaliatory personal action  
under this amendment?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

I believe the question you asked me has a yes answer.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

The -- the amendment's very specific to what an employee is and what a service worker is. This amendment, as Representative Zalaski explained a few minutes ago, refers to service workers but lines 34 through 38 say that the retaliatory personal action concerns employees and service workers or service workers. So can the Representative explain why that word "employees" inserted on line 37?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I think that if you are any employer have a policy that you can take sick days. I believe that you cannot retaliate for people that take them.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

So I think I understand what the -- what the good Representative is explaining. So whether or not you work in a manufacture facility or if you work at a company that makes -- that makes, you know, different food products or if you work at a daycare center, this retaliatory personal action is not allowed under this amendment? Am I correct?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I believe so, yes.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Mr. Speaker, we've -- we've heard from a lot of restaurant workers in the course of the -- the debate in the public hearing on the Labor Committee.

If a -- if a waitress works in say a high-end upscale restaurant here in the City of Hartford and a large portion of her income is in the form of tips. How would her sick leave pay be calculated? Would it be based on the -- the -- her average earnings each day or would it be based simply on what she gets paid on an hourly basis?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Thank you, Mr. Speaker.

Her hourly basis.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

So that waitress would be better served by trying to work her shift when she's not sick, trying to switch with another employee because her income would be dramatically reduced if she took advantage of the paid sick time; is that correct?

Mr. Speaker, through you.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Yes, Mr. Speaker, I believe that is correct.

Through you.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

Mr. Speaker, through you.

Why is it that this amendment exempts production workers, manufacturing workers? The original bill that passed out of Labor included that segment of our business community. Why did the Senate make the -- make the amendment exclude them?

Through you.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I believe they made manufacturers exempt from the bill, partly because manufacturers are competing with other companies all over the world. So manufacturing -- and I said this before to the members of the Legislature. At one time my company

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threatened to move us to Mexico and so those are the types of things that happen in manufacturing and that's why I think they -- service industry jobs cannot move out of the country. I think that's why they took them out.

Through you.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you. I appreciate that response.

On line 125, the term is used, "other paid leave" and it goes on to define it at the end of line 125 and then on line 126, what that refers to.

My question is if an employee earns as they refer to as comp time, you know, if he works extra hours during a course of a week, he could have time off for those hours at a later time. So an extra 8 hours worked on a Friday night could result in 8 hours off paid at a later date. Would that comp time be included in "other paid leave"?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Maybe the -- through you, Mr. Speaker, if you could explain about comp time a little closer. I'm not that familiar with comp time.

Through you.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

I'd be happy to explain it. Certain firms within our state offer to employees a benefit where if they were to work additional hours over a -- the course of a workweek, they could use those additional hours as paid time off at a later date. So rather than get overtime, they would -- they would get time off paid at their same hourly wage. So if an employee were work on a Thursday night an extra 8 hours, his employer might offer him 8 hours off at any time in the future, you know, paid.

So I wonder if that would -- if an employer offers that benefit would -- could that be applied towards the sick time mandated by the amendment?

Through you.

REP. ZALASKI (81st):

Through you --

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Sorry, Mr. Speaker.

Through you, Mr. Speaker.

I -- I believe not because from what I'm --  
from what I think you're saying, comp time is  
unpaid. This is paid sick time.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you.

The benefit that I'm thinking of the employee  
would actually get paid their normal hourly wage.  
So in lieu of overtime that employee would get those  
hours from work but they'd be paid for those hours.  
So if an employer earns 4 hours of -- of comp time,  
they would be paid 4 hours when their off -- off  
from work. So they could take a short day on Friday  
but still get their full 8 hours, you know go home  
at noon but get paid through four o'clock so it  
would be paid time off.

Through you.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

If it's paid time then it would fit the bill. That's -- you know -- the bill says that it's paid time off then if -- if it fits the bill then it would count.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Rigby.

REP. RIGBY (63rd):

Thank you, Mr. Speaker.

Mr. Speaker, I appreciate Representative Zalaski's answers. He has a very deep understanding of the amendment but the more we discuss it, the more concerned I am -- that it -- that it's going to have far reaching negative ramifications on the business community.

Mr. Speaker, when the vote is taken on this amendment, I ask that it be taken by roll call.

SPEAKER DONOVAN:

The question before the Chamber is a roll call vote.

All those in favor of a roll call vote, please indicate by saying aye.

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REPRESENTATIVES:

Aye

SPEAKER DONOVAN:

It appears the 20 percent is met. When the vote be taken, it be taken by roll.

Representative Aman.

REP. AMAN (14th):

Good evening, Mr. Speaker.

SPEAKER DONOVAN:

Good evening, sir.

REP. AMAN (14th):

It's very close to evening and I'm sure by the time we're done --

SPEAKER DONOVAN:

It's close enough --

REP. AMAN (14th):

-- it will be well into the evening.

This bill has obviously been of high concern to many people. The head of the Labor Committee has done a tremendous amount of work with it. And I have tremendous respect for Zeke and what he has done. However, obviously, both philosophically and in detail, I have many problems with the -- with the bill.

What I will be doing is going through various sections of the bill to determine how it's actually going to be administered and handled. Just like the other bill that we discussed, real people in the world have got to actually take the legislation we pass and live with it. Somewhere, somehow, some clerk is going to have to figure out if someone's entitled to sick pay or not.

And it'll be the purpose of my questions, among others, is to clarify what is being meant by the legislation that we're passing so that it can be administrated in a good and proper manner.

So through you, Mr. Speaker, I have a variety of --

SPEAKER DONOVAN:

Please proceed, sir.

REP. AMAN (14th):

The beginning of the -- of the bill talks about day and temporary workers and -- who perform and later on it talks about performing service to the business. And I'm wondering how the independent contractors -- and I know the -- the good Representative is very familiar because the Labor Committee has battled back and forth and up and down

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regarding independent contractors where they fit into the situation.

And so are the day and temporary workers that are being brought in, if I could get a clarification on how they differ from an independent contractor that is also brought in on a day or temporary basis?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't believe that they are paid an hourly wage if they are working on a construction site and they're not in -- in the bill as it is because I don't think they're listed under the service workers.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The independent contractors, while we in the Labor Committee have usually done discussed in the construction industry, my wife was a independent contractor for many years as a medical writer. So

it is often also people within an office situation that -- that fits that term. And so, again, I'm trying to get the -- the difference in this legislation as the difference between a temporary day worker and an independent contractor?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalascki.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

An independent contractor is not an employee.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I'll get into that in a few minutes because I think the bill is a little confusing on that issue also.

It also goes on in line 14 to talk about whether such work is performed by an employment agency or temporary help service. If the 50-person threshold, which is discussed later on in the bill, if the employment agency has more than 50 people, is it covered or is it the company that the employment

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agency is supplying the people to that requires the trigger for sick pay.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I have -- we have temporary workers in my own shop, and they get paid by the agency not through -- so they would not be covered under the bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Okay. So if your company employs from a -- an employee agency that has less than 50 people working for them, they would not be covered, and your company would not have to reimburse the employment agency for the extra cost. But if your company hired an employment agency that had more than 50 people, would they be required to have that employment agency supply health insurance or time off for illness?

Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't believe they're in the bill at all.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So someone working for an employment agency is not covered by this bill?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I believe that's correct.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Many companies are using employment agencies -- because I did find that last comment very interesting, as a way of testing out someone potentially for the job. And the idea is that they

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work for the employment agency for -- for a period of time and equivalent to a probation period -- at some point, the company offers the individual a full-time job at the company, and the employment agency receives a fee for that service or for losing their employee. And it's a fairly common basis. Would that individual be covered under this bill or because they're working for an employment agency they would not be covered?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

They don't count as an employee under this because they work for the agency.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The -- previously, I asked about the independent contractor and I was told that they -- they're not covered. But yet in lines 16 and 17 it says an employee means an individual engaged in a

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service or to the business of the employer.

Obviously, the independent contractor is supplying a service, and it seems like under that definition, in lines 16 and 17, the independent contractor would be covered under this bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

The reason -- there are two separate items.

The bill is covered for service workers only, but a portion of the bill also covers if you give sick, you know, depends on whether they get sick days already. If they get sick days, they aren't allowed to retaliate for people using those sick days as an employee.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So the purpose of this employee definition is only for the penalty phase later on in the bill?

Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

It seems so.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I thank the -- for the answer.

Going on now down more, is it 50 or more individuals, and I'm not going to go into if a company that has 48 and doesn't hire any more and that because I -- I think that's a problem, and I agree that most likely a company hires what they need and aren't going to change. I could see companies saying I'm -- I'm not going to take a mixture and not have as many full-time employees or part-time or maybe I'll bring in some independent contractors, since I was just told that they're not covered, to do some of the work to keep me under the threshold. What I -- I'm more concerned about how that 50 or more individuals is classified. Is that 50 individuals at one location with or is that multiple locations come up with the 50?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It could be multiple.

Through you, Mr. Speaker.

REP. AMAN (14th):

Okay. So if you have a franchise where there are company-owned facilities, and there's 10 facilities, five employees in each one, would that, from what you have said, I understand that would be covered either as 10 different facilities, five people in each one, it would be covered by the sick pay law?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It seems that the example you're giving, it would be, yes.

REP. AMAN (14th):

If you took that same 10 locations, five

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employees in each, and rather than they be company-owned stores, they're individual franchise stores but still stay part of the same organization, would they be covered even though they're all independently owned?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Sorry.

Through you, Mr. Speaker.

If they're paid by individual -- different individuals, no, they would be not -- they'd be exempted from the bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

If a company has one employee working in the state of Connecticut and 49 employees working in China, would that one person here be covered if he was a service worker?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I believe not.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

How many employees would be required to be located within the state of Connecticut to trigger that 50-person count?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Fifty.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Okay. So -- there - there's no question that all of the people would have to be located within the state of Connecticut so some of the major companies within the United States who have a presence in the state but less than 50 in the state

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would not be covered by this bill?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker,

That is true.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The subject came up earlier about nationally chartered organizations. And I did hear the answer, but I -- I was, to be honest, confused by the response because I was under the impression that the only nationally chartered organization -- that term was a term of art, and it only dealt with organizations that had received a charter from the Congress of the United States which have not been -- and I also believe that they haven't been issued in the last almost 20 years. I'm wondering where that -- the definition of nationally chartered in this bill comes from and what it exactly means.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

And that's a very good question because I asked a very exact question. And any nationally chartered organization, it's a term -- this term could be taken as either a descriptive one or one addressing a congressionally chartered organization recognized by an act of Congress, which I think it was one of the questions my good friend, Representative Rigby, asked. Local YMCAs are local organizations that receive their charter from a national organization, YMCAs or the USA.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So they -- it had -- from what the good Representative said, it has nothing to do with the congressional chartered that as long as it's a -- some group somewhere in the state gives them a -- in the United States, gives them a charter and calls it nationally chartered, they would be nationally chartered?

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Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It says either a local organization that receives its charter from a national organization or an organization is chartered through a congressionally chartered national organization.

Through you, Mr. Speaker.

REP. AMAN (14th):

What -- what type of organizations within the state of Connecticut would fall under that category of nationally chartered?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It could be the Red Cross, as Representative Rigby brought up. It could be a Boys', a Girls' Club of America are -- are some examples.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

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Representative Aman.

REP. AMAN (14th):

I -- I find that interesting because I -- both those examples have got, if I remember correctly, congressional charters that go way back. Could I have some examples of organizations that do not have a congressional charter that would fall under that definition of nationally chartered?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

And believe me, I would love to be able to give you some but I don't have any.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I -- I find that difficult because a -- organizations are going to have to be looking at it, and from the definition I got if depending on your -- equivalent to a franchise agreement with a national organization, if they call it one item, it wouldn't be covered with it. If they call it a

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charter, you would be covered. I'm wondering one of the large suppliers of recreation, childcare, education, et cetera, is Catholic Charities, who does tremendous amount of work within the state of Connecticut. And so, they, obviously, are tied in with a national organization. I don't know if they use a word, "nationally chartered," but if not, I think it wouldn't be very hard for them to get that sort of designation. Would Catholic Charities be covered under this exemption for those services that they supply to the community?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I didn't hear him say it.

If you fit the three pieces of the bill and you're chartered, I would say that you could.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So it seems like the key word in all of this is

"nationally chartered," because there are many, many companies that have the 501(c) or organization designation. There's thousands of them. There's thousands of organizations that had the recreation, childcare and education designation that they supply. So the key word here is "nationally chartered." And it appears that it -- I have not gotten a real clear definition other than if your national organization says you're chartered, you have a national charter.

So leading to that, if you have an organization that -- that not currently have something called the national charter, under this bill, if the -- do they -- the designation has changed, would they automatically fall under it and what would the parent organization have to do to say to a group locally that they are nationally chartered?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Representative Aman has a very good question there, and I would say that they would have to be

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nationally chartered. They would hire a lawyer, like I would have to, to figure out how to do that and hopefully they would be able to work it out.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I -- that's why we have very expensive attorneys, and the first thing they're going to do is, I think, turn to the discussion we're currently having on national charter, and you're going to pay them a lot of money per hour to look at the legislative intent. So to help keep the bills down a little bit, could the good Representative give the legislative intent of what nationally charter means and how a organization goes about getting a national charter?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I can't say that I could answer that.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Let the legal bills begin.

Continuing on that, it's been discussed that because of their unique situation of recreation, childcare and education are covered, I'm going to have to go back to my district and try to explain to a church that's in the area that happens to be just -- not very far at all from a YMCA that supplies the same services, and I'm going to have to explain to them why their childcare workers, their recreational workers are not covered and the YMCA, which is a direct competition to them or their workers are covered, the Y's are not. And I'm hoping that the good Representative can give me some guidelines as to how I can make the explanation to them as to why that was put into the bill, as such.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I can't completely answer that, but I'd be happy to ride down to his neighborhood church and

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talk to them.

Thank you.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

They'll love to see you on your Harley.

The retaliatory personnel -- personal action section talks about a variety of things that a company is not allowed to do. And one of them is refusal to promote and -- while the others are, I think, are in my mind fairly clear, I mean, if you terminate somebody, it's very clear. You suspend somebody, it's very clear. Refusal to promote, especially in the service industry where you have many, many workers who are very equal as far as their abilities and the jobs they perform, looks to me like a relatively or a very much a problem. And I'm wondering, if for legislative intent, again, how much time between someone taking a sick day and this refusal to promote would come, how much of an impact that might have? And again, how is the Labor commissioner, which I presume is the group that has to make the decision, what guidelines do they have

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under that section Refusal to Promote?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Could you give me the lines that you're looking at, Representative Aman?

REP. AMAN (14th):

I believe it's in lines 36, section 6.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would say that refusal to promote would be that you refuse to give them an advancement on what, you know, making them a manager or whatever.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

That -- that I -- that I can understand. What I'm -- from when the employee makes a complaint under this -- and we'll get into it later -- the fines can be pretty steep. What guidelines does the employer have in taking into consideration someone

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who took their proper amount of sick time and now I don't want to give them a promotion for whatever reason? What guidelines can they use to make sure that the employee does not win a complaint saying that the only reason I didn't get the job promotion was because I took three sick days last year?

Through you, Mr. Speaker.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I'm sure that if they felt wronged, they would file a claim like any other time it's -- I don't think that's any different than a woman or a man saying that they were refused a promotion because they're a man or a woman. They always have a right to go to the commissioner.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The next section of the bill lists many, many different workers that are in the service classification, and as I remember the initial part of this bill when it was first brought out it was talked about the importance of not spreading a

disease to -- or an illness to other people. And of course, a thing that continually came up was the example of the -- or I'm sorry -- the example of restaurant workers and the nurses, et cetera. And I can see where that direct contact with the public that would be a legitimate public concern. But I'm looking at several of the other issues sitting here and because that is the overlying reason for it, I'm looking at some of the classifications, and I'll just pick out one like security guards. And I can understand the security guard, maybe even in this building where there's lots of different people passing around, why it might be necessary. However, there are an awful lot of security guards that either work by themselves or with at most one other person, guarding a facility in the evening when nobody is there or doing other types of work. And I'm wondering what the thinking was that individuals who basically are working by themselves how -- or why they are included in the category of people that are covered by the bill.

Through you, Mr. Speaker.

REP. ZALASKI (81st):

Yes.

Through you, Mr. Speaker.

I would say that there's no way to tell whether there's going to be one person -- he could work with one person then a crowd comes through, I mean, how would you -- how would you be able to tell whether a guard is going to guard one person or not? I know back in the day I was a bouncer in a nightclub, which was security, and we had big crowds sometimes, other times we hardly had anybody. It's hard to judge.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I -- I think most employers would know the security guards that they're hiring where they're going to be and who they're guarding and if it's needed. But, again, that's my -- one of my philosophical problems with the bill is we are trying to tell people how to run their business and what their people are going to be doing.

Go down into line into line 65. We include janitors and cleaners, except maids and housekeeping cleaners. And I am very -- and I said at the time

when I looked at that that maybe that's just a job classification, and I would see maids and housekeeping cleaners somewhere else and I did not see them.

So my question, through you, Mr. Speaker, is are maids and housekeeping cleaners covered or exempt under this bill?

Through you, Mr. Speaker.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

By looking at it, I would say that they're exempt.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Again, I -- this is where I'm having trouble with the bill. We are telling a hotel that their maids and housekeeping staff do not have to worry -- or be covered by sick pay but the security guard on a used car lot in the evening is required to be covered. I am sorry that does not make a lot of sense to me in how we are -- are doing this.

We go down -- and I know it was discussed, but administrative assistants are covered. Office

clerks general, are covered. Is that only if it's a service industries or is it any industry that those people would be covered?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Could you give me the line? There's quite a few names here, so.

REP. AMAN (14th):

Okay. Administrative assistants are on the end of line 75 and 76. Office clerks, general, are on line 80.

REP. ZALASKI (81st):

And the question -- through you, Mr. Speaker, the question is?

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Yes.

Are these individuals -- if they're working for a daycare center, except for the YMCA, they're covered. If they are working for a manufacturing

company, they are not covered. If they're working for a company that is not a service organization, not a manufacturer and not the YMCA, are they covered by this bill?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

If they fit the definition that is in the, you know, whatever the -- that federal bureau. If it's under their classification then they are covered. If it's not, they're not.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So as I understand it from reading this the Office Clerk General for a construction company would be covered and may be the only person within that organization that is covered by this bill?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

That could be true, yes.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

If you look at line 81. I find this a little strange also that office machine operators are covered, except computers. Now, I'm reading that that if you're in a office and you only run the noncomputer equipment, you are covered. If you got an old fashion adding machine that is a hand crank, you are covered. If you're using a computer, you're not covered. And I'm trying to figure out which codes the computer operators would come under to be covered.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Yes, line 76, computer operators.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Okay. Then, could you please tell me what the difference between a computer operator and an office machine operator, except computers, is?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

No, I could not.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Once again, our attorneys are looking at it saying something else that should have been clarified and, unfortunately, was not.

It was earlier said that you could have the office clerk be the only one in a company that's covered. And I'm wondering if that is also true for the miscellaneous officer and administrative support workers that are in line 83?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would say that is correct.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The -- part of the bill discusses being exempt, paid on an hourly basis, exempt from a minimum wage. So I -- I'm presuming that that means that all salary employees are not covered by this bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

That is correct.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The amount that -- and I'll get into that later -- and again, the service worker does not include day or temporary workers and we also determined that they did not include independent contractors, even though they were applying a service to the business. And I believe that has been answered. So that,

unless I am wrong in my interpretation, I do not need to ask questions.

The number of -- looking at the system of accruals, it looks like you get the 680 hours and if you're working a 40-hour week, it's roughly 17 hours of credit that you -- you can take off during that period of time. Is that approximately correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I believe you are correct.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The -- the 17 hours now that you're entitled to, do you need to take that if you're working an eight-hour day in eight-hour increments or can an employee -- employer require you to take that in eight-hour increments?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

No. If a, say, an employee needed to run out to the doctor for an hour, they could take it at that time.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Is that a one hour that the employee takes -- is that at his option or is it at the option of the employer? Is that in his policy that says if you can -- another -- let me rephrase that, make it a little clearer. Can the employer have a policy that says if you want time to take off for sick time, you must take a full pay increment period, probably a day?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

The policy is set in the bill -- the amendment.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

And the policy within the bill is -- could that be please -- could I have that explained further, Mr. Speaker?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It doesn't dictate that it can be dictated that is has to be taken in eight-hour increments.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So an employee can come in and say, I'm supposed to work from nine to five and I want off between one and two to go to a doctor's appointment. And the employer must give him that hour off and allow him to work the other seven that day?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

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REP. ZALASKI (81st):

Through you, Mr. Speaker.

Usually when you have an appointment, it's made longer in advance than a week. It is for my doctor.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Oh, okay.

If that -- I was being distracted at that moment -- if the good gentleman could repeat the answer to the question.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Yes, Representative Aman, I'd be happy to repeat.

The thing is, is usually when you get a doctor's appointment, it -- it takes longer in advance than that day. So if you -- the bill says that if you know up front how much time or when you're going to take time off, you should within seven days you have to notify your employer. But if something happened, your child was sick and you had

to run to school, you would be able to leave -- you would have to be able to leave work. Luckily, you would be paid, as long as we pass this bill, otherwise you'd be losing pay.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Going back to that question, I know that two weeks from now, I have a -- an -- or an employee says to his boss, two weeks from now, so it's way before the deadline, I need between one and two o'clock off to take my son or daughter to the -- to the doctor's. And it's in the middle of the shift that I'm supposed to be working, and the employer has to cover that one hour when the person is gone. And to hire someone, has to hire them for the day. Is -- can the employer in that circumstance say, yes, you obviously can have the time off to go to the doctor, you meet all of the requirements, but you have to take the full day off?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

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REP. ZALASKI (81st):

Through you, Mr. Speaker.

They can't mandate to take the whole day off.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

For many industries, I think that can be a major problem in that you either have to pay show-up time or you have to pay someone to come in for the day. If you need that hour covered, it's very -- I don't know how many workers you can find that you can say please come in and work for me for a hour. I think that's a very -- part of the bill that I'm unhappy with. Because I think, again, it takes away the employees -- employer's discretion. I will understand that probably the vast majority at time, the boss will say take the hour off, I'll see you when you get back. But I'm looking at someone like a daycare worker that is covered, and you -- you're not allowed to leave those kids alone for an hour so you got to find somebody to come in and cover. I also can be sympathetic to the employee who says but that's the only time my doctor has that I can fit

the appointment. Again, by setting this thing in statute, I think we're leading to a variety of problems with it.

The section of the bill that talks about 10 or more hours per -- for a quarter, sounds to me like again, if I do my arithmetic, that it's 120 hours that you have to work during the most recently completed calendar quarter to get covered. And I'm wondering if that 120 hours can be three 40-hour weeks or if it has to be spread more evenly out, or is it just an arithmetic average that once you hit the magic number of 120, the number of days, et cetera, is really incidental?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It's an average.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So it's a -- through you, again, Mr. Speaker, it's strictly a mathematical average of if you've

done the 120 hours during the previous quarter, you -- you do meet the requirements.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I think it's a 130 hours. I think there's 13 weeks in a quarter, but, yes, through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I may well agree with you, but that's the reason I said, there are approximately 120 hours, as I sit here doing the arithmetic in my head.

The next paragraph talks, any other paid leave. And so if I have a company that gives out vacation time, personal leave time, it doesn't make any difference what I call it, but as long as I somehow come up with whatever number of days we had, roughly 6 days a year of time off in some form, I do not have to worry about the sick pay policy.

Through -- through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I believe that's correct.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Now if I have restrictions on how that other time can be used, whether it's notification in advance or if it's how many hours have to be taken at a time, which would preempt the other? Would because I'm not -- don't need to follow the policy, I can follow my normal time-off policy or do I have to somehow take this policy and include it within mine?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I'm glad you brought that up. I appreciate -- you know the bill as well as I do and I appreciate that.

Yes, you have to -- the time that you get -- your paid time off, whether it be vacation or whatever, you have to be able to take exactly the same as the bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So if the company's policy is that you have to take your vacation or paid leave time in full-day increments that's true, except if I say that I'm sick at which time I could take whatever period of time I, as the employee, decides to take.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Again, I think you've said it perfectly.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

If the policy the company has is -- and for any part of a day -- any day or part of a day counts as

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a day, would that be included under that -- under this bill since they take the time off for any other personal leave time, it would not be?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

No.

Through you, Mr. Speaker.

You have to be able to take the time in any time in increments that you need for whatever emergency comes up.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The -- I know the restaurant industry especially talked to us about replacing shifts, working different times, and I'm -- one on the things I do like about the bill is that somebody finally listened to that over the last several years that included a provision that is included. But there's part of it that makes very, very little sense to me, and it talks about the fact that a --

an employer, service worker who chooses to work additional hours or shifts may trade the shift. And I -- I know that's very common and it occurs that the two employees talk to each other and they say, you work this day for me, I'll work that day for you. And you let the boss know and everybody's happy.

The problem I'm having with it is that it says, during the same or the following pay period, you must do that. And one of the more common things that I can remember in the restaurant industry is when employees say you work for me this week -- or I'll work for you this week, you work for me next week. As I'm reading that in this bill, that swap would not be allowed.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Oh, it says, "either."

Through you, Mr. Speaker.

But it -- line 139, I think alleviates your problem. And I would have to say that many of the conversation that me and you have had over -- over

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these last few years have -- actually are in this bill, and I think that's part of one.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I'm still looking at line 139 and, with the Speaker's permission, I'll read it. It says additional hours or shifts during the same or following pay period. Which means that if I know I need the 10th of July off next -- next month, I can't say to one of my fellow workers, will you work the 10th of July for me next month, and I know you want next week off, and I'll take, you know, tomorrow -- I'll cover for you tomorrow. And as I am reading that bill, that trade of work would not be allowed.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

That is correct.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

And, again, it comes back to why I'm having problems with government telling people and businesses how to run their organizations because as much as we know and as much as we look at things, it still becomes very, very difficult to craft legislation that covers every possible circumstance. And once you put it into law, what you see is what you get, and you got to live with it. And again, I have a lot of problems with this.

The -- skipping down to what happens when an employer -- employee takes off sick days, I understand a required notice, if you know ahead of time. It's only common courtesy to let your boss know the -- if you do know seven days in advance. It only makes sense that if you're out for three or more days, that a reasonable documentation is out. If you're out for three or more days, what determines how ill you have to be to be able to take out a sick day?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would say the -- the doctor or healthcare provider that is treating the worker.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Most workers and even the state workers with our health coverage, if they wake up in the morning and they're not feeling very well are not going to go to a doctor. They're going to treat themselves. So -- so that under this, I presume, that for the first three days or first two days, it's really the employee's discretion, and probably rightly so, whether they're ill or not.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

We have to remember that we're talking mostly about, if not all, about low wage workers. I -- I think that asking a low wage worker to have to go to

the doctor after being out with a migraine headache for one day, you know, it -- it -- yeah, it's a burden which the reason we're trying to give them paid sick days is because they live week to week.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I couldn't agree with you more. But I did want to try to see exactly, again, what -- what the impact was.

Going down farther, if you take off three or more days, you have to have the number of days -- you have to have someone sign off. And it can be a court record or documentation or it can be signed by a service worker in the organization that you're going to for treatment. And is that correct that any one of those individuals can sign a little note to you -- to your employer that covers the three days, Mr. Speaker?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I think all of them are covered if that's what you read, 174 to 176. If that's the ones you read, then yes.

Through you, Mr. Speaker.

REP. AMAN (14th):

Yes. Going back to the service worker definitions, earlier we were talking about the janitors and cleaners. So as I'm reading this, you go to the hospital and as you're walking out the door, you go -- go, oh, I need a note, if the janitor signs it for you, you're fine.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Again, line 174 to 176, I don't see, janitor on there. So, I don't think that that would be reasonable documentation.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Mr. Speaker, if the good Representative would

look at line 174, it says, signed by a service worker. Previously as a definition, there was a whole series of hundreds of people listed as service workers. One of them happened to be a janitor. So, my question is, can the janitor, as a service worker, sign this for you, Mr. Speaker?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Thank you, Mr. Speaker.

And I'm glad you brought that up because what that part is is about family violence. This -- this is the part of the bill that talks about the family violence. And many times, they are -- those service workers are volunteer workers that take care of victims service or -- in victim service organizations.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I couldn't agree more. I admit that volunteer people in those circumstances are probably very,

very well qualified. But, again, that's not what the bill says. The bill says, service workers, which is anybody on that huge, long list of people that we had on there.

The -- we're going to be talking in a little bit about the penalties that a company has that abuses their employee and doesn't allow them to take sick pay. But there is only four lines that talk about the fact that an employer may take disciplinary action against a service worker who uses paid sick days for purposes other than what's proposed. And my question is, what type of disciplinary action would a employer be able to take against someone who says, I -- I'm not feeling well and when you turn on the -- or you look at the Facebook account of his kids, they talk about the wonderful day the family had at the beach. And unfortunately, under Facebook today, that's probably not an unusual type of occurrence to happen. So there's no question the employee was not ill, even though he called in and used a sick day that he was entitled to. What type of disciplinary action may an employer take under those types of circumstances?

Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't think the discipline would be any different than it would be if the employee had no paid sick day. If you -- if the company has a policy for absenteeism, then they could use that policy.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So, if a company had a policy that says if you call in sick and you're not sick, you will be fired. The employee could be fired for that action?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I'd say, yes.

SPEAKER DONOVAN:

Representative Aman.

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REP. AMAN (14th):

Would the employee, at that point, that was fired for violating the company's rules be eligible for unemployment insurance?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Everybody is entitled to file, for unemployment, I would gather. And under circumstances, I'm not sure whether the instance you were talking about, is it -- is that an employee that had paid sick time coming to them, took the time off and were caught and then terminated? Or were you talking about somebody that didn't have sick time, got caught calling in, gee, I'm sick, and was at the beach and was terminated?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I'll use the example of someone that had banked sick time, was entitled to the sick time, but was

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not ill and went to the beach. And the policy that the company had was, if you do this, you will be fired. And therefore, the company said, you were -- you were entitled to sick time; however, you took the day, you were not ill; therefore, we're firing you per our policy. Is that individual for unemployment insurance?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

You -- I would imagine that if he felt that he was being discriminated against, any employee has a right to go to the Department of Labor. Any employee that has lost his job has a right to go to Unemployment.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

If a -- looking at it from a little different way, you have an employee that with the hourly wage, and I'll make it easy, works eight hours a day, \$10

an hour -- or make that \$20 an hour because I want to get it over a hundred - works at eight hours a day, \$20 an hour, with \$160 a day, by him doing that, that is to me equivalent to him stealing something worth \$160 from his employee. Most companies have a policy that says, if you steal from me, you're fired. I also believe that even under our Unemployment law that if you steal from your company, you're not eligible. So I'm trying to understand how one of abuse of sick time, which cost the employer exactly the same amount of money, as the -- stealing from the company, why one would be covered and one would not.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I -- I -- could you -- that music distracted me for a minute. Would you mind --

SPEAKER DONOVAN:

No dancing.

REP. ZALASKI (81st):

-- rephrasing the question?

SPEAKER DONOVAN:

Could you repeat the question, please,

Representative Aman.

REP. AMAN (14th):

Okay. I'll to make it instead of coming up with hourly numbers.

You have an employee that makes \$200 a day. And the company has a policy, if you steal from me something of value of \$200 or more, you will be fired, and that's -- it's for theft. And it's my understanding, and I may be wrong, that if you steal from your employee -- employer, it's one of the reasons that you can be fired and not collect unemployment insurance. So I'm wondering under this bill, if you call in sick, you're not sick. It cost your employer the same \$200. Are you eligible for Unemployment?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

As I said before, anybody that is terminated, whether they be it for just cause or not, has the right to file for Unemployment. I can't say how they'll -- I can't say how they'll rule, but I can tell that an employee at my shop changed his time card. The company fired him for stealing time, and he lost his job and he did not collect.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

When the bill comes up, I probably will have something that addresses that particular circumstances very clear.

Coming down into break in service, and I believe that was stated that a break in service could be of any length. Is that understanding correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It doesn't dictate a time, so I -- I would

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guess that your statement is correct.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So if you have a business, and I'm thinking of the companies that I work with that do things like driveway paving and they pretty much always close up during the peak of winter months, those employees would never be covered by this bill?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would hope that if an employee comes back year after year that the employer would be nice enough to give them to him, but he doesn't have to.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Again, like I did when I talked earlier, this is my problem with the bill. What it -- the law

says versus what someone should do, again, is very difficult to write, and I find that break in service something that is very difficult for me to understand, if you're pro employee, why something like that is going to be in there.

The -- there's a section in here about the Labor commissioner advising an employee that gets -- that feels that he is not receiving what he should and belongs to a collective bargaining agreement that they are to advise him that they can pursue a grievance. And I'm just wondering why that particular section is in the bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It's a very good question, but I do have an answer. And the answer would be that the -- the commissioner would like anybody to pursue most -- most, if not, I would imagine all unions have a grievance procedure. We would rather see them go through the grievance procedure before pursuing going to the Labor Department.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Yes. I can understand why they would like to dodge the work of doing that. But if it's a nonunion company and you have the same sort of grievance, would the Labor Department be required to pursue the complaint?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't know if I heard you correctly. But if you don't have a union, you don't have a grievance procedure, I don't believe.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Yes, but I understand that. But if you have a nonunion company, an employee feels that he has been aggrieved by the employer for not following this

law, is it the responsibility of the Labor commissioner to represent the employee and investigate and make a determination?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It -- it -- that's the way it's worded in the -- the bill, upon receipt of such complaint, said commissioner will hold a hearing.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The -- and, again, I'm just a little confused. And other than it's a way of passing off some of the work, but I will go to the sense that you just said about, may hold a hearing. What determines if the Labor Department holds a hearing or not, since it doesn't say, "shall" -- it shall, it says "may." What makes that determination whether they will or not?

Through you, Mr. Speaker.

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REP. ZALASKI (81st):

Thank you, Mr. Speaker.

And that's a great question. And the answer is when the people from San Francisco came here and spoke to us, they said that in San Francisco, most times in the -- from -- I think I'd mention, maybe I didn't -- but since 2007, since San Francisco started having paid sick days, they've only had around 200 complaints. And in that 200 complaints, it averaged out to less than five per month. And with that, they said almost all the time all they have to do is make a phone call to the employer and the employer fixes what was wrong. I think that's what the theory was behind this.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

And I -- and I can see how that informal circumstance definitely works. But if that doesn't work, you still have the word, "may" there. If that informal conversation on the telephone doesn't make the problem go away, what is a criteria for actually holding the hearing?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

If the phone call does not work, through you, Mr. Speaker, I would imagine they'll have a hearing.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The next sentence talks about the preponderance of evidence. And with my time on the Judiciary Committee, I've heard that too many times in too many different ways. So I would like to know what, in this particular circumstance, what does the preponderance of evidence -- what type of standard is that that the labor commissioner has to use?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Preponderance means over half the evidence has to be in the favor of the employee.

Through you, Mr. Speaker.

Excuse me.

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SPEAKER DONOVAN:

Representative Aman.

REP. ZALASKI (81st):

Did you hear me or do you want me to repeat it?

SPEAKER DONOVAN:

I'd love to have you repeat that.

REP. ZALASKI (81st):

Sure.

Through you, Mr. Speaker.

The -- over half the evidence has to be in favor of the employee -- through you -- for it -- to be -- for it be a preponderance.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Boy, is that going to be confusing to how -- whether someone was ill or not, how you decide that by 50 percent, but, I guess, that's the fun of being on the labor commissioner that they have to make that sort of decision.

There's a civil penalty for \$100 for each violation. What is a violation that costs \$100?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Through you, Mr. Speaker.

I would say denying a person the sick day.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

And it says "each violation." If I deny three days, is that three violations or is that one violation because they only made one complaint saying they were ill?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

You know, roughly stating, three times a hundred, I would say that's 300.

Through you, Mr. Speaker.

I --

SPEAKER DONOVAN:

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Representative Aman.

REP. AMAN (14th):

So that each day would be a separate violation under the explanation I have. If we go back to the original -- or when I talked about the employees -- employer's policy of you take a whole day's pay or nothing, and the worker objects to that. Is that a violation?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Not working for Department of Labor, but I would say that that is a violation.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So, if you have that policy in your handbook and no one -- an employee complains to the Labor Department, has not tried to exercise anything under that but says the company's handbook already calls for that as the policy. And the policy is what I just previously talked about, would that be a

violation?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would say that the policy is what the bill says when it comes to paid sick days, not the policy that's in the book that the employer gives. And I would also say, as I stated before, there are so few problems in San Francisco where they have this law go to every employer, not just -- we're talking about 535,000 people, and we haven't -- we only got 200 -- they only got 200 complaints. We don't see it as is big a problem as some people may.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Okay. The -- the final section talks about any party -- or one of the next sections -- any party aggrieved by the decision may appeal of the Labor Department may appeal to the Superior Court. Who is the actual parties in that suit? Because, right

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now, you got the labor commissioner, the employer and the employee, and I'm just wondering how the teams line up for the suit.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Any party aggrieved.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I'm not sure what "any party aggrieved" means, as far as where the parties come and involved in -- in the suit in this, but I will let, again, some of the attorneys talk about that.

And I -- but I will go back to the \$100 fine for each incident. And since I think we said earlier today that the maximum someone can get under this policy is six days of sick leave per year. If a company sends the Labor Department a check for \$600 and says we're not giving any sick time whatsoever, here's your money, what happens?

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Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

First, I would like to clarify your -- your thinking about the old bill. It's five days, not six days.

Through you, Mr. Speaker.

Could you re-ask the question?

REP. AMAN (14th):

Okay. Under the bill, you're -- you're entitled to five days of sick pay. And a company says, it's cheaper for me to send a check for \$500 for each of my employees that's covered by this bill to the Labor Department then to administer and run this program. What does the Labor Department do upon receiving that check in the mail?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I can't say that I speak for the Labor Department, but I know if I were the head of the

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Labor Department, I would keep the money and ask for more.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

I realize you'd like to ask for more, but if I remember reading the bill correctly, it has a maximum fine of \$100 per violation, and earlier we said that each day is a separate violation. Five days allowed is five times a hundred, so it sounds to me like for \$500 you send the check off, you're -- you're clear.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't think you're quite accurate. I think because you have to remember about the \$500 for -- for any kind of a discipline for them.

Through you, Mr. Speaker.

So it might be five times five, plus the hundred. I -- I -- I would have to say that I'd

have to leave it up to the commissioner.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

The -- the last part of the bill talks about that the labor commissioner is allowed to establish additional requirements providing notice, et cetera. What type of an additional requirements are envisioned by this legislation because obviously they wouldn't have those lines in here if they weren't envisioning some sort of other requirements, but they didn't want to specify them out. So I -- if I could get what some of the additional requirements that they would be talking about?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Are you talking about line 261?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

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REP. AMAN (14th):

Yes, where they said they may adopt regulations and then it continues on through 265, where they talk additional requirements for providing notice, et cetera. I'm wondering since that's pretty open and blank if there is any guidance that they have for that regulations because I'm looking at just before that where they're very clear that the notice has to be both in English and Spanish, and yet you get down to the next sentence, and rather than being very specific, they just go very general. And I'm trying to figure out what type of regulations are being thought maybe required to put that type of language in there.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Another good question, and I would say the answer is the labor commission wanted it put "may" because he's not sure if he wants to put it -- regulations or not.

Through you, Mr. Speaker.

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SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Yes.

There was a thing in there earlier about -- that was mentioned that I was talking about the \$100 and yet there's a \$500 fine -- and I don't have that in front of me right now -- but as I remember, it included, and not service workers for -- but any employees. And so I'm wondering if the good Representative can go in a little detail about when that \$500 fine would be put out and for what type of violations.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I believe that that part is for an employer that gives sick days that's not really covered by this bill. If you as an employer had 50 or more employees and you gave sick days, then all of a sudden you decided I'm not going to pay this guy for the sick day or something, and if that gentleman --

that employee -- worker wants to go to the commissioner, that's what this language is for.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

So, if a service worker is aggrieved, the penalties would be \$100 plus the 500, and if it's a nonservice worker, the penalties would be \$500 per violation?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I believe the fines are the same for each.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Aman.

REP. AMAN (14th):

Okay. Again, I -- I thank the good

Representative for his answers.

As been stated, the -- the bill is something that has been worked on for many years. While many

of the problems have been addressed, I'm looking at it - it's saying there are still many, many more in here that on a day to day administrative policy is a problem. I know that I received emails from one of our utility companies that talked about the fact that they have a very generous sick pay policy. They have a very generous vacation policy, and they feel that the bookkeeping and requirements under this is going to be very, very difficult for them to handle. And that the easiest way for them to handle it would be to eliminate a lot of the fringe benefits that they offer. They're not going to do that obviously, but they are -- it did point out very clearly that the administrative burden of trying to figure out some of these things and doing it is -- is difficult.

So, again, I -- I thank the proponent for coming forward with the legislation and answering all my questions, and I -- my sympathy goes out to him as he stands here answering many, many more as the night goes on.

Thank you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

We'll -- we'll take humanitarian breaks if we

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need it, Representative Aman. Thank you.

The gentleman from East Hartford,  
Representative Larson.

REP. LARSON (11th):

Thank you, Mr. Speaker.

I have a few questions of the proponent.

DEPUTY SPEAKER GODFREY:

Proceed, sir.

REP. LARSON (11th):

Through you, Mr. Speaker.

Concurring with my fellow representative from South Windsor, I would like to also note that although this bill is not perfect, I do believe it's a step in the right direction, and I want to take a moment to thank the members of the Labor Committee for their effort. I also want to reach back and thank the former Chair, Representative Ryan, for the effort. I understand that this has been -- been worked on for a number of years on his behalf as well.

In addition to commending the members of the working family, I know that this is a particular issue for their party, et cetera, and an effort that has been well received to this point.

If I could put my mayor's -- former mayor's hat back on, most of my questions to the proponent circle around seasonal employees, primarily summer-time help for municipalities. And although may it -- many people may not believe we have a -- one of the largest corn growers in the state of Connecticut, Burnham Farms, farms -- East Hartford, South Windsor in the Connecticut River Valley, all the way up to Springfield. And they have some issues with seasonal hires. And so if I could address the proponent, I believe the version of the bill that we have now before us also includes new language that addresses some concerns that have been raised concerning those seasonal employees, particularly the break in service; is that correct?

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

That is correct.

DEPUTY SPEAKER GODFREY:

Representative Larson.

REP. LARSON (11th):

Thank you.

So in the case of a seasonal employee, let's say someone who works for 14 or 15 weeks during the summer months, that employee would not get to use any paid sick time because they haven't gone past the 608 hours of work during the probationary period; is that correct?

REP. ZALASKI (81st):

Through you, Mr. Speaker.

That is correct.

DEPUTY SPEAKER GODFREY:

Representative Larson.

REP. LARSON (11th):

So a seasonal employee might accrue paid sick time, but would not get to use that; is that accurate?

REP. ZALASKI (81st):

Yes, that is.

Through you, Mr. Speaker.

That is correct.

DEPUTY SPEAKER GODFREY:

Representative Larson.

REP. LARSON (11th):

Through you, Mr. Speaker.

Under the -- under the language you have just

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described, when the seasonal job is over and that accrued time -- that accrued time then is wiped out; is that correct?

REP. ZALASKI (81st):

Through you, Mr. Speaker.

The time is wiped out and unless they voluntarily give the time back when and if the employee comes back to work for the same employer.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Larson.

REP. LARSON (11th):

Through you, Mr. Speaker.

So if that employee then is hired back by the same employer, the next year, they start back at zero. They don't get credit for any of the sick time they accrued the prior summer; is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

That is correct.

DEPUTY SPEAKER GODFREY:

Representative Larson.

REP. LARSON (11th):

Through you, Mr. Speaker.

So it sounds like seasonal employees are basically just totally exempt from that bill. And there are employers or others who are still concerned about this, it's just because maybe they haven't seen the new language or they really haven't read it closely or just didn't understand how that break in service language addresses this issue; is that correct?

REP. ZALASKI (81st):

Through you, Mr. --

DEPUTY SPEAKER GODFREY:

Do you care to respond Representative Zalaski?

REP. LARSON (11th):

Through you, Mr. Speaker.

REP. ZALASKI (81st):

What was that?

Through you -- through you, Mr. Speaker.

I believe that's correct, yes.

DEPUTY SPEAKER GODFREY:

Representative Larson.

REP. LARSON (11th):

Thank you, Mr. Speaker.

Those are my -- he's answered my questions.

DEPUTY SPEAKER GODFREY:

Thank you, sir.

The distinguished Minority Leader  
Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, a few questions through you to the  
proponent of the bill.

DEPUTY SPEAKER GODFREY:

Please proceed, sir.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Representative Zalaski, I think you opened up  
bringing out the bill with the fact that this was a  
historic day. You indicated that if we were to pass  
this measure and the Governor's signature goes on  
it, having already passed the Senate, we would be  
the first state in the United States of America with  
such a -- with such a policy.

And I guess my first question is, before we get  
to substance is, why now? We all know that whether  
you agree or not, and I presume by virtue of the

proponents bringing out this bill, we can all agree on the fact that this is an extremely difficult time for business, for job creators because that's what businesses are, an extremely difficult time.

Today I read that the AFL -- there's some irony here - the AFL CIO themselves, issued a statement raising incredible concerns about the fact that the national jobless rate is now at 9.1. And we, as a state of Connecticut, find ourselves in that unique situation where for the first time in memory, our state's unemployment rate is actually higher than that of the nation. We all recognized, by the things we do here in this Chamber every day, the enormous struggles that job creators have in this economy at this time, at this time. We've all recognize, whether you voted for it or not, whether you thought it was justified or not, that the budget that's slated to go into effect on July 1st asks for enormous additional sacrifices from business.

We have all acknowledged, as a Chamber, that we here in the state of Connecticut find ourselves in that -- yet another unfortunate circumstance. That circumstance being that our Unemployment Compensation Fund went belly up, broke, flat broke

in October of 2009. And that in order to continue we needed to borrow from the federal government. But now it's time that we pay the federal government back. And the plans that are out there will require that businesses, job creators, employers pay that back. And in order to pay that back, their unemployment rates, something that goes outside the bounds of a budget, outside the bounds of this bill, will also go up.

We all sit here and acknowledge though in some cases through no fault of ours that the cost of energy has gone up, that the cost of insurance has gone up. We recognize that. And we've heard from scores and scores and thousands of job creators, thousands of businesses saying, please, please do not pass this piece of legislation because it will make it that much worse.

Now given that entire set of circumstances and given the fact that we have a Governor who's in favor of this legislation, but by its constitution will be in office for the next four years. And given a fact that it is presumed that the legislature, both House and Senate, that is presumed to be in favor of this legislation, will be here

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next year as they are this year -- same people.

Then I guess my question, through you, Mr. Speaker is why now? Why are we passing this bill this legislative session?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you -- through you, Mr. Speaker.

And I -- I thank the gentleman for his -- his question and his passion for this. I must say that I think it was my first or second term up here, Representative Cafero was on the Labor Committee with us, and I think at that time this bill came. I think this bill has been around for many -- many, many years. It's gone through both Chambers and I just would have to say that I think it's time has come. You know, it's -- it's the same argument I heard, like, for minimum wage a few years back when we -- or four years back when we passed minimum wage. It's why then, it's why now. We just think it's the right time right now and that's what I believe.

Through you, Mr. Speaker.

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DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

And I thank the gentleman for his answer and he answered my question he believes that now is the time.. And I presumes he believes it is the right thing to do, that it is the right thing to do.

Mr. Speaker, through you.

Does the good gentleman believe it is the appropriate policy for this General Assembly to provide an opportunity or, frankly, to mandate an opportunity that every worker, if they get sick, can take a reasonable amount of time off with pay?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I definitely believe that, and I think that many people here believe that.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

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REP. CAFERO (142nd):

Through you, Mr. Speaker.

Does the good gentleman believe that this bill accomplishes that goal?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I believe it is a good start, yes.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

The good gentleman answered it's a good start and that presumes to me or implies to me that there's a ways to go. And if you read the context of this bill, you'll see that some people are entitled to the benefits there under, and some people are not. Depending on your job -- job category, you may or may not be covered by this bill. Depending on the size of -- or how many employees your employer has, you may or may not be covered by this bill. But you see, here's the

curious thing about it, folks. And here's the thing that makes me question -- makes me question whether we are truly trying to accomplish what we say we're going to accomplish. And what I mean by that is, we're talking about people, people who get sick, people who get sick, whether it's a migraine headache, whether it's the flu, whether it's a heart incident or Lyme disease or upset stomach, the thousands of ways people get sick.

And those illnesses that are too numerous to mention that make people sick don't just affect people based on their job category. The flu doesn't just strike attorneys and nurses, but not waiters and police officers. Migraine headaches don't just happen to accountants and cashiers. Illness doesn't just befall someone because they happen to work for a company that has 50 or more employees, versus 49 or less. We're talking about people and illness.

Everybody, no matter what you do, from the President of the United States to the guy or gal who sweeps the streets of our cities, are all subject to the same illnesses. It's a great equalizer. Regardless of your education, your salary, your position, your title, everybody gets sick.

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Everybody gets sick. And yet this bill distinguishes between those people. It picks the haves and the have not's.

So my question, through you, Mr. Speaker to Representative Zalaski, is why did the drafters of the bill choose to apply these benefits to those certain people? For instance, why does it only apply to an employee who works for an employer who has 50 or more employees?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would imagine that those were compromises that we've been doing for the last eight years -- that we've been trying to work with this bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

Compromises for what reason?

DEPUTY SPEAKER GODFREY:

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Representative Zalaski.

REP. ZALASKI (81st):

To move the -- through you, Mr. Speaker.

To move the legislation forward.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

Am I to understand a compromise would be a recognition that to apply this provision to concerns employers, if you will, who employ less than 49 people would be burdensome and that is why they were excluded?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I think it was more burdensome to the -- the legislature.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

I don't quite understand that answer. In what way was it burdensome to the legislature?

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Well, I would say that many people in the legislature asked for us to raise it to 50 employees.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Yes. And through you, Mr. Speaker, when that request was made to you as chairman of the labor committee, was there a reason given for that request to raise the effect of this bill to concerns or employers with 50 or more employees as opposed to another number?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would say that people all know that 50 or more employees, there's less employers that cover over 50 people.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

With the acknowledgement that you made at the beginning, meaning that a person is a person and that every person is entitled if they are ill to be paid for a day they take off because of that illness, why would that exception be made?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would say that many people felt that they wanted to see how the bill would work with 50 employees.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

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REP. CAFERO (142nd):

Through you, Mr. Speaker.

What aspect of the bill are we seeing if it works? In other words, is there -- as we make that observation, what kind of factors would we be observing to evaluate the effectiveness of how this applies to concerns over 50 employees, as opposed to less?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would imagine that the -- we'd just be watching how it goes with 50 people.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

Now, I'm not trying to be glib here. How what goes?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

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Representative Zalaski.

REP. ZALASKI (81st):

Well, I would imagine how it affects the - the people that -- to see how it works with the people that it does cover.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Mr. Speaker.

For those people who were compromised with, I might add or say, meaning that prevailed in impressing upon the powers that be that this draft have -- affect employers with 50 or more employees than not. Was it their concern that a bill that encompassed everyone would be unduly burdensome to those businesses?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

In no disrespect to the Majority Leader --

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Minority Leader, but I can't really speak for what other people thought.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

I wouldn't ever dare to ask you speak for whatever the people thought, but what I guess in your capacity as chairman of the Labor Committee and one of the principle drafters of this bill, I presume that you were -- that negotiated this bill and at least heard the opinions of the other side that caused the powers to be to compromise. And I'm asking if you could represent to the best of your ability the rationale of those people with whom you compromised as to why they wanted this bill to apply to employers of 50 employees or more versus 49 or less?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Yes.

Through you, Mr. Speaker.

It seemed that we could not -- I'll tell you how I feel, and that is that as long as I've been here for the last nine years, none of us ever get everything we want and everything is compromised in the legislature. So we took -- by talking to many legislators, we've crafted the bill to where people think that it would work. It's come a long way. As Representative Cafero would know, we started out with 25 employees. We moved it up to 50 for people to -- who want to support it, because I think it affects less people and they just want to see how it works with the people that -- that have -- the employers that have 50 or more.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Yes.

Through you, Mr. Speaker.

Though, it's obvious that, based on his words, the good Chairman does not believe this. Were those people with whom you've compromised concerned that this would have a negative effect on business if it

were to apply to employers with 50 or less employees?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Us -- a few did -- as Representative Cafero knows it only takes a couple to -- so there were a couple legislators that felt that it might have a negative effect on some employers.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

I guess I would just observe -- either those were very powerful couple of legislators or maybe the number was even greater because we do have that compromise here.

Through you, Mr. Speaker.

In lines 39, et cetera, wherein they go through the varying definitions of those who are covered by job title or occupation of this bill, again, choices were made. This is a subset of all categories of

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employees out there or certainly in the state of Connecticut. Why are some in and some out?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I believe that the -- we tried to include most that had the most to do with, you know, the most amount of people that they had interaction with.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Forgive me. Could the good gentleman clarify his answer?

Through you, Mr. Speaker.

I wasn't sure I got that.

REP. ZALASKI (81st):

Yes, sorry. I might not of had the mic close enough to my mouth.

The -- I think that what we're after is people from the healthcare professions, the people that had a lot of contact with other people.

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Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Was one of the also concerns of those people  
who deal with food?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Yes, Mr. Speaker, that is -- that is correct.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

During the debate and certainly the discussion  
of this bill that's taken on in and outside of this  
Chamber, there's been a lot of talk about public  
health concerns. Why would you have sick people,  
who but for fear of losing a day's pay, go to work  
ill and work with food? And yet as just discussed  
extensively we exempt from this bill, employees --  
excuse me -- employees who work for companies that  
have 49 or less employees; is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

That is correct.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

So, through you, Mr. Speaker, if I happen to work for a restaurant and I'm a waiter or short-order cook and I got a bear of a cold, sneezing, sniffing, runny nose, coughing and I go to work sick because I don't want to lose a day pay. After this law passes, is my life going to change any?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

If -- if -- if there's under 50 employees in the place that you work, I would guess not.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

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REP. CAFERO (142nd):

Thank you, Mr. Speaker.

There's a whole heck of a lot of restaurants, deli's, diners, employ a lot less than 50 people. Boy, if our -- one of our main goals was public health, we're missing the mark. There's a lot of healthcare workers that take care of geriatric patients, et cetera, nurses, homecare people that happened not to work for employees with 50 or more employees that are exempt from this bill. So if they got that cold, tuberculosis, sneezing, coughing, doesn't apply to them. See; we pick winners and we pick losers. We pick winners and we pick losers. We see that all the time here. And when we do that -- when we do that, it calls into question the intellectual purity of the goal.

If the goal is public health because everybody deserves not to be exposed to someone who's forced to come to work sick, we don't reach that goal. In fact, we come far short of that goal because we made a choice -- we made a choice.

Through you, Mr. Speaker.

Does the bill in question cover people who are paid by way of compensation -- excuse me --

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commission?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It has to be an hourly wage.

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

So, through you, Mr. Speaker, if I employed someone and said, listen, I give you an office to work at, you got health benefits, but the way you're going to be compensated is by a percentage of what you sell, they're not covered under this bill; is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

No, they are not.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Now, Mr. Speaker, let's assume, through you, that -- I know when I had my own law office in Norwalk, we would hire an office cleaning person that came in twice a week, empty the garbage, you know, the window, vacuum, bathrooms, that kind of stuff. And during that twice a week, I presume he was a -- one person -- he put in more than 10 hours a week. Now, we employed him, meaning we paid him, and he was a guy, Joe. And we paid Joe a check, what do we owe you, X amount an hour, how many hours you work, well, I was here -- I think he came Tuesday and Friday. We paid him, you know, it was like 10 and a half hours' worth.

Through you, Mr. Speaker.

If I had 49 employees, and Joe, coming in twice a week, paying him -- based on the work he did as I described it -- after 680 hours, do I as an employee -- 'er -- kick under this bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER GODFREY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Number one, I would have to know if you paid tax on an employee, if you paid him as a subcontractor, 10 and a half hour, gave him a check per hour, didn't pay the taxes on him, he's not your employee.

Through you, Mr. Speaker.

So he wouldn't be covered by the --

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Okay. Good -- good point.

So I guess if he was an independent contractor, he wouldn't qualify. Correct?

Through you, Mr. Speaker.

REP. ZALASKI (81st):

That is correct.

DEPUTY SPEAKER GODFREY:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Mr. Speaker.

We had another unique circumstance. I don't

know if it was unique -- in fact, frankly, I hear it's pretty common. In my law firm, we had bookkeeping needs. Somebody to keep the books, the accounts receivable, payable, make out the payroll checks, et cetera. And we employed, and I say employed because we paid the taxes, et cetera, for this particular person, 10 hours a week. That's the extent that we needed her, but we needed her. So meaning that we wanted to keep her as an employee for 10 hours a week, we did not preclude her from having the same arrangement with other law firms. In fact, she worked for three law firms per week, putting in 10 hours at each of those law firms. And each of the law firms would deduct, you know, payroll tax and all that stuff. Assuming each of those law firms had 50 or more employees, how would that person be treated under -- what would that person be entitled to by each of those three employees under this bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Employers?

REP. CAFERO (142nd):

Employers, right.

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DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't -- I'm not sure I have the full details because for you at \$10 a week that's only, if I'm correct, 520 hours, if I'm ciphering right, and that would mean she gets nothing because you need 680 hours to get anything. If the other ones worked her more hours, once you hit the 680, you're allowed 17 hours, each employer is separate.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Well, through you, Mr. Speaker, thank you for that clarification, but it makes a good point. Let's assume in that -- with that sort of situation, which is very common by the way, especially amongst, you know, concerns, like law firms, where they don't need full, you know, 40 hour per week bookkeeping services, for example, in some cases librarian service, et cetera. But let's say two or more employees hire this person for the requisite hours,

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how is that sick day time earned under this bill, assuming all other criteria is met, the amount of employees, et cetera. How is that allocated?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

If I have the question correct, once -- whether you're part-time or full-time, once you've worked 680 hours then you are allowed to start to take any sick time you have earned. It's approximately 680 hours, it's approximately 17 hours. So the day after you hit 680 hours, you could take sick time off at that time, if that answers your questions.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

So, through you, Mr. Speaker, you literally could independent of each employee -- employer, excuse me -- earn separate, up to five days per year, sick time, given all the other criteria, from

each of two employers; is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't have a calculator, but I don't know anybody that works that many hours, but I guess technically, you're correct.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Well, through you, Mr. Speaker, what's the minimum amount of hours that one needs to work, given all other criteria, that -- per week for them to be entitled to the sick days?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Well, the total is 680 hours, so I think they said it was like four months as a full-time employee and it may be 10 months as a part-time.

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Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

Is it possible to say, work 17 hours a week and in the course of a year earn 680 hours and, therefore, be entitled to, you know, the paid sick days?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

So that would be 17 times 52. Anybody want to do the math for me, you know, what I mean?

REP. CAFERO (142nd):

Through you, Mr. Speaker.

I'm going to help the good gentleman out.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

680 hours a year divided by 52 weeks is a little over 13 hours a week.

Now, through you, Mr. Speaker, the good gentleman indicated he doesn't know anyone who works that hard. There are some people that do work 26 hours a week. In fact, believe it or not, there's some people that might work 39 hours a week. So, theoretically, they could work for actually three employers, 13 hours a week, and qualify for the sick days as put forth here. And through you Mr. Speaker, the good gentleman might not know anyone who works 38 -- '9 hours a week, I'm wondering under this bill, how would that work out with regard to allocating the sick time?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

What I was getting at is somebody working part-time 680 hours times three employers.

Through you, Mr. Speaker.

Could you ask -- would you mind asking the question again, Larry, I'm sorry.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Yes.

Through you, Mr. Speaker.

If someone worked for three employees, each employer, 13-plus -- say, 14 hours a week, that would exceed the 680 hours per year per employee -- employer -- and therefore they would qualify for the sick days with regard to each of the employers. Would that, therefore, entitled them to 15 days, sick days, five with each of their three employees per year?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

For every 40 hours they work, they get one hour, so whatever that divides up to, if they work 3,000 hours, you know, you could -- for each employer, you're allowed to have five. If you work enough hours, whatever that comes out to then you could, I guess, you might be able to, but I don't know anybody that does, and I work a lot of hours.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Mr. Speaker.

It must be me making it unclear, but -- but let me try to -- the point of trying to get at is that if an employee earns these sick days, making an assumption that they've qualified and everything in this bill is followed, if they earn sick days with more than one employee, I presume they could take those sick days earned per that employee, like five with one, five with the other; is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Now that I -- I see what you're saying. Yes, that's true.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Now, Mr. Speaker, through you, is it my

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understanding, you could roll over unused sick time from one year to another; is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Yes, you could never use more than five, 40 hours in the year.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

And through you, Mr. Speaker, could you -- if you don't use them are you ever compensated for them or --

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Not in this bill.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

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Through you, Mr. Speaker.

Is that, no, or it's in another bill, just not  
in this one?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

No, I'm sorry. What I meant was is if they  
voluntarily want to give you the money, they can,  
but this bill does not make them give it to you --  
pay you that money.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Mr. Speaker.

So there's no compensation. You use them, you  
could roll them over to another year, they're  
limited to five per year. Well, through you, Mr.  
Speaker, if you're limited to five per year, what's  
the -- what's the use of rolling them over?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

And that's a great question. It's -- it's good that we clarify that. And the reason is because every year it starts over again. You start accumulating the days again the first of the year, every year. So if you used your five days the previous year, until you hit the 680 hours again, you wouldn't have any sick time, so you would have to -- you can roll it over to, you know, January, February --

REP. CAFERO (142nd):

Got you.

REP. ZALASKI (81st):

-- when the flu season starts and that type of thing.

REP. CAFERO (142nd):

I got you.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

REP. CAFERO (142nd):

Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Mr. Speaker.

Lines 198 through 205 talk about nothing in the bill prohibiting an employee from donating his or her unused sick time. How does the bill contemplate to whom that would be donated?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It -- you don't have to donate. It's up to them whether they allow you -- it's up to the employer whether he allows it at all. So who he allows it to is up -- between the employer and the employee.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

And through you, Mr. Speaker, would the bill before us prohibit sick day banks as is commonly known?

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Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I can't say I know that much about sick day banks because I don't get one at my place, but I would say that it's not covered under the bill. Unless the -- this bill does not prohibit an employer from giving more.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Well, through you, Mr. Speaker, the way I'm reading that bill, starting in line 198, it says nothing in sections 2 to 6 inclusive of this act shall be construed to prohibit an employer from establishing a policy whereby a service worker may donate unused, accrued paid sick leave to another service worker. Now I presume that the only reason they would donate one who has not used his or her sick days to another is because that person ran out of sick days. So by definition it sounds like the

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donee, the person receiving the sick days, by definition would use more than five sick days a year; is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

The key word is, I think, in my estimation is that it will not stop -- prohibit the employer from doing this. This is still what the -- if the employer wants to give an employee more days, if the employer wants to let them donate days, use more, it's up to the employer.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Well then, should I read that in the reverse?

Through you, Mr. Speaker.

Can an employer prohibit someone from doing that?

Through you, Mr. Speaker.

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Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

Mr. Speaker, it's my understanding that these hours, if you will, aren't done in day blocks. They're done in hourly blocks. For every 48 hours you work, after the requisite 680 hours, you earn an hour of sick time; is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

That is the way the bill is written, but anybody could -- an employer may offer you the same amount of days in so many months as long as it's the same as the bill, then it's -- it's permissive.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Mr. Speaker.

I, therefore, would presume that the bill is the base. An employer can do better than what the bill says but no worse than what the bill says; is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

We like to call it the minimum, like minimum wage.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker.

That would be the base. If that is the base and you earn it hour -- one hour for every 40 hours worked after 680 hours, if you earn it incrementally an hour at a time, can you take it incrementally an

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hour at a time?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Yes. Representative Aman had this discussion earlier, yes, you can use it incrementally if an employee needs an hour off to run to the doctor or take his child to the doctor, he is allowed to do that.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Thank you.

Through you, Mr. Speaker.

I have two sons who are currently working in the service industry, they're waiters. And their boss tells them they got to be there at a certain time. And, you know, boys will be boys, and sometimes on the night out -- the night off prior, they go out and deprive themselves of sleep. They're sleep deprived children at times. And on

those mornings after a sleep deprived evening, they are loathed to get up on time. I guess you could say they don't feel well. They might have a bad headache. If that is the case, would they be, assuming all the other requisites are made, be able to call their employer and say, listen, I know you got that -- that wedding party coming in at five but I just can't get out of bed, not feeling well, I might show up at seven o'clock. Is that allowed and would the employer have to pay my boys for that?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

If they're sick, they're sick. I'm not a doctor. It's not my decision whether they are sicker than they, you know, from what, they could be throwing up, you know, they may have the flu. You know, I can't really completely answer that but yes. If he -- if they say they're sick then, I would guess they're sick.

Through you, Mr. Speaker.

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Representative Cafero.

REP. CAFERO (142nd):

And through you, Mr. Speaker, assuming they're employer is not as generous as you, Representative Zalaski, in his interpretation of whether or not they were sick, and the employer, cynic that he might be, says, I think you stayed out too late, and you're really putting me in a bind by coming in two hours late when I got a wedding party, and the law says I got to pay you, and, oh, I'll pay you all right, but you can whistle Dixie if you think you're getting the good shift next week, in fact, you're washing dishes and you're not waiting tables. Somebody might consider that retaliation. Would this bill give a cause of action to my sons against their employer for retaliating against what they would consider their proper use of sick time?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Yes.

DEPUTY SPEAKER ARESIMOWICZ:

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Representative Cafero.

REP. CAFERO (142nd):

Oh, that's a new one. So picture somebody because they don't have to prove they're sick, you know, Representative Zalaski made a good point, he said, look, if they're sick, they're sick and I'll take their word for it. But, you know, sometimes we've heard of pattern sickness, you know, the Monday after Super Bowl Sunday or the Friday before a three-day weekend. So if somebody five times a year took the Friday before a three-day weekend and called in sick and there was a pattern, based on this law, if the employer questioned the employee with regard to that recurring pattern, that employee could say, hey, I was sick. Sick is a subjective thing, you're not going to make me come up with a doctor's note because the law says I got to be sick three days in a row before I have to come up with a doctor's note, and if you don't like it, tough, because if you fire me, dock me for pay or even write a stern letter for my employer file -- my employee file, I believe that's retaliation and I have a cause of action against you, sir, so get used to me taking the Friday before a three-day weekend,

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five times a year, get used to the fact that you're going to have to pay a substitute to cover for me because there isn't a damn thing you could do about it. I'm protected by the law.

Through you, Mr. Speaker.

Is that accurate? Am I correct in my hypothetical that one could allege exactly that under the fact pattern I gave?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

A employer, as well as an employee, have an avenue to put in, you know, can -- the employer could refuse to pay, and an employee could go to the commissioner. That's how it works.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

Does the bill -- does the bill define what a retaliatory personal -- personnel action or

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discrimination against an employee is?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Yes, line 34 through 38.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

I thank the gentleman for referring to me that question. If I may share it with the Chamber. Retaliatory personnel action means any termination, we get that, you're fired; suspension, you got a week off without pay; constructive discharge, meaning making circumstances such that you can't come to work but not directly saying, you're fired; demotion, you were supervisor, you no longer are, pretty clear stuff; unfavorable reassignment, somewhat subjective, but you were the waiter, tomorrow you're washing dishes and peeling potatoes, I sort of get it; refusal to promote, hey, I scored great on that internal test, I should be at the next

level, yeah, but I'm not going to promote you, sort of get that, getting a little more vague; disciplinary action or other adverse employment action, that one's really vague.

So if I went and I reprimanded by employee for his or her pattern of taking the Friday before a three-day weekend and that employee felt wronged by that, could he make a charge and would that be considered an adverse employment action?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Anybody that feels there were wronged can always go to the commissioner.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

And through you, Mr. Speaker, would you define the hypothetical I gave you as an adverse employment action?

Through you, Mr. Speaker.

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DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Would you mind just --

REP. CAFERO (142nd):

Sure. A verbal -- through you, Mr. Speaker, a verbal reprimand in front of fellow employees followed by a letter to the personnel file. Is that an adverse employment action?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I would guess that is.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

And through you, Mr. Speaker, in my hypothetical, if this gentleman took the Friday before a three-day weekend five days a week -- five days a year, regularly, and as a result of that his employee didn't dock him from pay, didn't refuse

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promotion, didn't fire him, but merely admonished him in front of his fellow employees, put a letter of reprimand in his employment file and that person felt wronged and went and made a complaint to the commissioner, and the commissioner was studying the facts, and asked the employer, Did you do that, did you reprimand Mr. Jones here in front of his fellow employees and did you, in fact, put a letter in his personnel file admonishing him for such practices?

And the employer said, You're darn right I did.

According to this bill, would the Commissioner have any other choice but to find that employer \$500?

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

As I stated before, any -- the employer -- if the employee feels wronged, he has to go before the commissioner. The commissioner would hear both sides. If he can't address it with a phone call and if he judges that that was inappropriate, then, yes.

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Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Yeah, but, through you, Mr. Speaker, that would imply that there's some discretion on the part of the commissioner as to whether or not he feels the person was wronged. If, for legislative intent, you've defined reprimanding in front of other employees and putting a letter in the file as an unfavorable employment action, then the statute says in lines 26 through 233 that if a labor commissioner by a preponderance of the evidence finds the employer to have violated it -- and that isn't tough. Did you do it, Mr. Employer? Yes, I did. Then he "shall," not "may," shall be liable to the Labor Department for a civil penalty of \$500.

Through you, Mr. Speaker.

Am I reading that correctly?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Excuse me. Could you give me those lines again?

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REP. CAFERO (142nd):

Sure.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Through you, Mr. Speaker.

Starting on line 226 down to line 233.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It's still up to the commissioner.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Well through you, Mr. Speaker, up to the commissioner would imply to me that that "shall" in line 232 would be met meaning he may fine him \$500. But if he finds -- whether he agrees with the -- whether he agrees with the employer or not -- the labor commissioner could say you know this guy had every right to yell at you in front of your other employees and put that letter in your personnel file

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and, yes, it is an unfavorable employment action but I think your employee was right doing it but, you know what, unfortunately I have bide by the law and it says since I have found that because the man has admitted that, I have to -- not may -- I have to -- shall -- fine him 500 bucks. Is that correct, through you, Mr. Speaker?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I don't believe it's correct because the commissioner may not feel that the file -- it doesn't dictate in the, you know, I said that's what I believe it would be. I don't know what the commissioner would judge it to be. Putting a letter in somebody's file, he may not decide that that was sufficient to penalize him for it.

Through you, Mr. Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Cafero.

REP. CAFERO (142nd):

Okay, Mr. Speaker, I appreciate that. A little vague and that's my concern about these things.

Ladies and gentlemen, I -- I certainly understand, on a base level, somebody is sick and they're afraid if they don't go to work they're going to miss a day's pay. I get that. I certainly get that. And I think that it is a very legitimate issue. And it is an issue where reasonable people can reasonably disagree.

But there's a whole bunch of things that we have to take into consideration when we make legislation, not the least of which is the times that we live in. You know so often an incident will happen. Maybe we're afraid of terrorist attack so the term "homeland security" -- which frankly never existed prior to 2001 -- our times dictated that. We take action in this Legislature in some cases reacting or with cognizance and sensitivity to the times we live in.

And right now, right now, all of us have the unique experience of being legislators at a unique historic time in our State's history. And the uniqueness and historic nature of the time we find ourselves as legislators, unfortunately, is not a good one. It is the worst economic crisis since the Great Depression. And we all are hopeful that

things change. But we see it in the headlines, hear it on the radio, watch it on TV and more importantly we see it in the faces and stories of our neighbors and friends. And things are pretty bad, and in some cases they're getting worse.

We are at a point of crisis. And when you're at a point of crisis you have to be very careful of what you do because the cumulative effect at a given time of what you do might be enough to break us. Yes, the straw that broke the camel's back.

So I guess I ask you what more evidence do we need? Unemployment, the highest in our State's history? Since the Great Depression. More jobs lost ever in our State history. Not two years ago, not three years hence, now, now. Friends and neighbors and relatives out of work. Businesses holding on by their fingernails already knowing because we debate this bill with the knowledge that it was the will of the majority of this Legislature and our Governor to increase taxes \$1.8 billion.

By the Governor's own words it is a deep sacrifice. We all know, undisputed, that every single business in the State of Connecticut, in addition to the taxes I just mentioned, is going to

face another tax, an Unemployment Compensation Tax. We know this; this isn't speculation. So we know the times we're living in, we know our unemployment rate, we know our business failure rate, we know our job creation rate which is going down and not up. We know that we are the least business friendly state in the United States of America. Our Governor on January 5th said we have to be committed to making a better -- what was it -- employment -- employer environment -- business environment. Because the measures and the policies we adopt in this Chamber and upstairs send a message. Our Governor wanted that message to be Connecticut is open for business. Why do you make that message? Why do you get on planes and trains and travel and sell and say, hey, we're open? Look what we're doing here in Connecticut. Don't you want to come and work here? Don't you want to open your business here? Don't you want to expand from 40 to 80? Because we're all about creating jobs.

And at this point in time, at this moment in history, we're going to be the first state in the United States to adopt this policy? Now the only reason, with all due respect, the only reason I

could see doing that is if you believed this is too important a policy. It is a basal fundamental right that every human being should have. We might disagree but that's intellectually pure. But in this whole piece of legislation we don't do it that way. Because if you're sick and you work for an employer that has 50 or more employees you're in luck. If two of them leave -- same sickness, same person -- you're out of luck. Little arbitrary, no?

And not only is it arbitrary, what is the incentive? You know it's funny the other day when we talked about early release time, we talked about giving an incentive to encourage behavior. What is the incentive in this bill? If I am a growing company that currently has 52 employees, this bill passes, what is my incentive? It is to layoff three of them and never grow beyond 50. It is to avail myself of every corporate trick in the book to keep my concerns separate because my goal is I'm not ever going over 50 because once I do I just added considerably to my business costs.

And we're doing that at this unique time in history. We're what we say universal is we're about jobs, jobs, jobs. And yet the message is just the

opposite.

Mr. Speaker, needless to say, I believe this is the wrong measure at the wrong time. That's wrong for Connecticut and it will prove and unfortunately send a message loud and clear along with all the other actions we've taken that Connecticut isn't open for business. Connecticut is out of business.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Noujaim of the 74th.

REP. NOUJAIM (74th):

Good evening, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Good evening, sir.

REP. NOUJAIM (74th):

Mr. Speaker, before I begin will you indulge me to let the constituents of the State of Connecticut know that you are, Representative Zalaski, are not casual because we do not take them seriously, but we are simply raising money for charity by dressing down today. If that is okay with you, Mr. Speaker?

DEPUTY SPEAKER RYAN:

Yes, that'll be fine to do.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. It's already done.

Mr. Speaker, I -- thank you, Mr. Speaker.

Mr. Speaker, I begin my conversation this evening with a little anecdote that very much relate to the subject at hand. You see, Mr. Speaker, this morning I turned on my computer about 6:30 in the morning and I found a message on Facebook from one of the young members of our family here, Representative Albis who sits right behind me. Representative Albis sent me a request, would I be his friend on Facebook? So obviously I clicked respond and then after I responded yes, I saw -- I saw Representative Albis' profile and I found out that he is a Yankee fan. So I sent him a little note and I said had I know that you were a Yankee fan, I would have hesitated before accepting.

But that brought me to a story that happened a long time ago. Long time ago, Mr. Speaker, it's a good story and you ought to hear it. Mr. Speaker, long time ago, I worked for a large corporation. I had a shipper, a young lady who worked in the shipping department -- Annemarie her name.

Annemarie was the best operating a forklift. I have

never seen, even a man, operating a forklift like Annemarie operated a forklift. She loved Rick Cerone. Rick Cerone was at the time a catcher for the Yankees. In the shipment office there was a picture of Rick Cerone catching, Rick Cerone batting, Rick Cerone running, Rick Cerone sitting with the peanut shells in the dugout, Rick Cerone doing whatever Rick Cerone wants to do. The entire shipping office was paved with Rick Cerone photos.

So one day toward the end of the month, I came to work and Annemarie was nowhere to be found. Fifteen minutes later she called, I answered the phone. Selim, I am not feeling good today; I am going to stay home.

Well, that's the end of the month when we ship everything we can ship. So it was struggle throughout the entire day. I had to find someone else. We had to ship the products. It was a difficult day, very difficult day.

The following morning I open up the newspaper and there was a picture of Annemarie distributed by the Associated Press catching a foul ball at Yankee Stadium. I bought the newspaper. I handed it to her and we had a talk.

What's the moral of the story? The story is many companies operate in a family-like environment. Had Annemarie come to me a week earlier and she said it's an opening day at Yankee Stadium, I love Rick Cerone and I wanted to go to the game today, I would have made some accommodations. I would certainly have made some accommodation because it's a family and that's how employers and employees integrate and talk to each other and help each other and take care of each other because it is a family.

REP. CAFERO (142nd):

Excuse me.

Mr. Speaker --

DEPUTY SPEAKER RYAN:

Yes, Representative. For what reason do you stand?

REP. CAFERO (142nd):

Mr. Speaker, I rise for purposes of questioning the existence of a quorum.

DEPUTY SPEAKER RYAN:

The Chamber will stand at ease please.

(Chamber at ease.)

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REP. CAFERO (142nd):

Mr. Speaker.

DEPUTY SPEAKER RYAN:

Yes, Representative.

REP. CAFERO (142nd):

Mr. Speaker, I'm comfortable that there is a quorum present if that means anything to you. Thank you.

DEPUTY SPEAKER RYAN:

Thank -- in the opinion of the Chair with the help of the good Minority Leader, we believe there is a quorum present. We can continue to hear from Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. NOUJAIM (74th):

Mr. Speaker, for the benefit of my colleagues who were not here, would you like me to start over?

DEPUTY SPEAKER RYAN:

Well, it was about a Yankee game so I don't think you have to.

REP. NOUJAIM (74th):

Okay, Mr. Speaker. Allow me to continue.

So seamlessly had Annemarie come to me and said a week earlier. Selim, it's an opening day at Yankee Stadium and I would like to be at the game. I would have made some arrangement. Definitely, I would have made some arrangement. Because --

Mr. Speaker, may I ask you to ask the Chamber to quiet down please?

DEPUTY SPEAKER RYAN:

Could I ask the members of the Chamber -- I know you're returning to the Chamber -- if we could have it a little quieter especially around some of the desks over here on my right so that we can hear Selim -- excuse me -- Representative Noujaim's comments concerning the bill.

Thank you.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

And what is the story? The story means that when you work with people you become like a family and you take care of them and they take care of you. You call upon them and they call upon you.

And we are ending up just putting in laws and regulations just to formalize the process, making it

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difficult for people to treat each other like families. And allow me to explain through some questions that I would like to ask Representative Zalaski, through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Again could I ask the Chamber to quiet down so that Representative Zalaski can hear the questions being presented to him by Representative Noujaim.

Please proceed, sir.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

And through you, Mr. Speaker, to Representative Zalaski.

Representative Zalaski, during your discussion with Representative Rigby you said and I quote, "For the time being, we are exempting them." You were talking about the Red Cross and you were talking about the YMCA and manufacturing facilities, manufacturing companies. So by saying, "For the time being," are we implying here that a few months from now or a year from now, we might come back and look after those companies, those corporations, those entities and say we are going to include them now?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I didn't imply anything by that. I don't have a crystal ball and don't know what's going to happen in the future.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

And through you, Mr. Speaker, if I may ask Representative Zalaski, on Section 2 which begins in line 98, it talks about the 680 hours. Does the employee start earning one hour for every 40 hours work after 680 hours or once that employee reaches 680 hours he or she will immediately have accumulated X number of hours?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Thank you, Mr. Speaker.

And for my good friend from Waterbury, I'm glad you asked that. I'll try to clarify.

Number one, the whole bill starts January so the whole clocks starts ticking so your hours will start on January 1st. Once you have hit 680 hours, you will have 17 hours of sick time.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

That's a great explanation. I just wanted to make sure that if January 1st, through you, Mr. Speaker, happens to be on a Wednesday, for say, does the employee accrue work -- accrue paid sick leave is entitled for that week or he will have to wait or she would have to wait for the following week to start accruing?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I could tell you how it works in my plant and my plant only and that is they give you your check for that January and they count it for January's year -- could have a couple of days in December in it. But the bill is written as January 1st so I'm not sure which way they will do that.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative, I can just tell you that January 1st is a Sunday.

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

I knew that I could always count on you.

And through you, Mr. Speaker, to Representative Zalaski, if the employee begins to earn that -- those hours then the probationary period which typically in our businesses -- Representative Zalaski's business and my business -- is about 90 days from hired or 90 days after the beginning of the first month after hire. So Representative Zalaski is confirming that the probationary period in this case does not exist, meaning the employee to accumulate immediately upon hire, the first moment

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after hire; is that correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Yes, Mr. Speaker, there is no probation.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

Because in -- in every corporation usually there's a probationary period. So it seems to me in here that we are eliminating the probationary period altogether.

Mr. Speaker, through you to Representative Zalaski, during the public hearings not only this year and previous years when I was ranking member with you on the Labor Committee primarily the discussion and all of the testimony came from employees who supposedly are earning minimum wage -- talking about \$9 an hour or less than that plus tips.

Through you, Mr. Speaker, would Representative

Zalaski confirm that the same type of testimonies took place this year when testifying on this bill in public hearings?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

First, I'd like to say that we do miss you on Labor. And having said that, not that -- not that I'm dissatisfied with the gentlemen that are on now, please.

But -- I would say there were a lot of testimony as to very low paid workers through -- if that's the question.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative, I would just note that he misses you but not me.

Please continue.

REP. NOUJAIM (74th):

Mr. Speaker, I was taking a note of this but I -- I am taking the Fifth on this situation.

Through you, Mr. Speaker, to my good friend from Southington, I am to understand in this bill --

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in this legislation that if an employer offers five days of vacation to an employee for a calendar year then this bill no longer applies; am I correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

I apologize. I didn't hear the whole question. I'm -- I'm sorry.

REP. NOUJAIM (74th):

That's okay.

DEPUTY SPEAKER RYAN:

Could you repeat your question, sir?

REP. NOUJAIM (74th):

Absolutely. Through you, Mr. Speaker, to my friend from Southington, if an employer offers an employee or all employees, for that fact, five days of vacation during one calendar year, paid vacation, then this bill no longer is in effect.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

If you're telling me that an employee has to work a full year before he gets his vacation year, then no. It has to still fit into -- once they have -- if the benefit is better than once you work 680 hours you get 17 hours, then it -- it has to fit in the same framework as the bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

I understand that. That's fine. But what if the employer also allows an employee in a calendar year five days for personal time -- whatever that employee can take a personal time, then this bill becomes not -- not in play, right?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

They would be -- they would comply, yes.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

And through you, Mr. Speaker.

If during the calendar year an employee is called to jury duty and serves five days on jury duty and is being paid by the employer, would the same case prevail meaning this bill is no longer applicable?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

No because that would mean he would have to be sick while he was on jury duty.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

And if I may ask Representative Zalaski through you, where does this -- where is this stated in -- in this legislation?

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Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Can you rephrase your question? Where is what?

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

I will rephrase the question. Through you, I think Representative Zalaski said -- well, actually I forgot what Representative Zalaski said. That's okay. I'll move on.

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. NOUJAIM (74th):

And -- and through you, Mr. Speaker.

Another question to my good friend from Southington. Let us say an employee on -- in February comes to the employer and said I know that I am entitled to five days of vacation for this calendar year, 2012. I would like to take my family down to Disney World. I'd like to take my vacation time now so the employer grants him. It happens all the time even though the vacation time has not

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accrued yet. The employer grants it. The employee takes a week off, goes on vacation, comes back, gets sick and he wanted or she wanted sick time. Does this mean that the employer is not liable to paying the employee to compensate him during the time that he or she is out of work?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative --

REP. NOUJAIM (74th):

Does this mean they have to take it without pay?

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

If you use my -- if you've used your sick days, in other words, if you give vacation time which is the same -- you could use the same as sick days can under the bill and you use them early in the year then you need sick days after that, you do not get paid.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

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Representative Noujaim.

REP. NOUJAIM (74th):

Thank you. I truly, truly appreciate the clarification.

And through you, Mr. Speaker to Representative Zalaski,

I'd like to ask him about line 165 for paid sick leave of three or more consecutive days. I know it happens. I know it takes place but that entire -- that entire section that starts by line 165 and it goes all the way down to 177 it talks about in one incident asking for a note from a doctor and then it continues on to say a note from volunteer counselor, police officer so -- police officer, and so on. How do we ensure that a volunteer or -- or a counselor or, as Representative Cafero spoke, a janitor for that matter -- and my all my respect -- have enough experience to be able to distinguish that an employee is sick or an employee is faking it essentially?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

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Through you, Mr. Speaker.

That portion as I think I indicated to the good  
Minority, it's about victim services for sexual  
assault or family violence.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

That's a great answer. I really appreciate  
that.

Mr. Speaker, and through you to Representative  
Zalaski, lines 182 to 185. And I know he discussed  
it already or discussed part of it and I would like  
to dwell on the rest of it. If an employee decides  
to leave the company and he or she knows that once  
the employee leaves the company then that amount  
that he or she has accrued is going to be lost. How  
can we prevent the employee from just calling in  
sick every day until he or she exhausts this time  
that they have?

Through you, Mr. Speaker. Before they give  
their notice.

DEPUTY SPEAKER RYAN:

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Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

And I'm sorry, what -- what lines were those  
you were using?

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

Through you, Mr. Speaker, to Representative  
Zalaski, I am using line 182 through 185.

REP. ZALASKI (81st):

Through you, Mr. Speaker, 182 to 185 is about  
collective bargaining?

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

No, not really, through you, Mr. Speaker.

It says unless an employee policy or collective  
bargaining agreement so we are talking also about  
the policy not just collective bargaining.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Just for clarification, are you referring to

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the amendment?

REP. NOUJAIM (74th):

Yes, sir.

DEPUTY SPEAKER RYAN:

Okay, just checking.

Representative Zalaski.

REP. ZALASKI (81st):

Hold on one second, excuse me.

Through you, Mr. Speaker.

Yes, if you leave you do not have to get paid  
for those days.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

But my question to Representative Zalaski is  
what if when this employee knew that he is leaving  
the company and says I am going to leave in three  
weeks but I have four days of sick pay that I can  
take. So during those two weeks' period that  
employee will call four days and call in sick. What  
protects the employer from -- from this cause?

Through you, Mr. Speaker.

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DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

If they use the sick days inappropriately under the conditions of the bill, you don't have to pay them. Of course, you or the -- the employee at any time if he feels that you inappropriately didn't pay him, he can go to the commissioner. But under the circumstances I think you're telling, the commissioner may rule in your favor.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

But through you, Mr. Speaker, then it becomes with no documentation the employer will say I know he was not sick and the employee says I was sick and then how would something like this be -- be resolved?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

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REP. ZALASKI (81st):

Through you, Mr. Speaker.

The same way it always does. You go and tell  
your side of the story.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

And through you, Mr. Speaker, I'd like to ask  
Representative Zalaski a question in reference to  
lines 206 through 209. And basically that intrigued  
me especially during the conversation with  
Representative Rigby and Representative Cafero. It  
seems to me that the bill is written that if an  
employee leaves whether voluntary or -- or  
nonvoluntary whether he goes for one day or five  
years then the moment he or she terminates  
employment then they lose all of the privileges for  
the paid sick leave days; am I correct?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. That is correct.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

And through you, Mr. Speaker.

If I may ask Representative Zalaski a question in reference to Section 6, and this will be line 249 and 250. Basically, what it says is that when you hire an employee, you are liable -- you are responsible to provide notice to each service worker about the entitlement of sick leave for service worker, the amount of sick leave and all of this. And through you, Mr. Speaker, if an employer, which I know every employer has a handbook, and the employee comes in on day one, takes a copy of the handbook, review it with the employer and he or she signs the document says that I have received this handbook -- I am sure Representative Zalaski has one just like I have one -- is this sufficient?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

If you put a letter in there stating the conditions of their employment is also that they get paid sick days, I'd say that you are correct. But it also should be posted in a place like any other thing that workers get like minimum wage.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker. And Representative Zalaski kind of went little ahead of me. If, and through you, Mr. Speaker, if that employee has already receive a copy of the handbook and the handbook covers it. How many more posters an employer must put on his or her bulletin board? Why is there a need for a poster to put another notice on it because the employer already seen it already -- employee already read it. The employee already signed a copy that he received it. What is the need for a poster as well?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

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REP. ZALASKI (81st):

Through you, Mr. Speaker.

If you read the beginning of the bill it says at the time of hiring, you will provide notice.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

I understand this and we already discussed it. My only thing is -- or my only question is not so much about the -- the date of hire or the notice given. My -- my question is if that employee has the handbook in his or her hand and it spells exactly the policy of the company, what is the need for the bulletin board?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I think it would be the same if you changed any of your policies. Don't you feel -- I would feel that you -- you would have to notify your employee

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that there's been a change of policy.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

Excuse me, Representative Noujaim.

REP. NOUJAIM (74th):

Thank you. Thank you, Mr. Speaker.

Perhaps I'm not clarifying myself. What -- what I think I'm intending to ask Representative Zalaski, through you, Mr. Speaker, is if the employee has already taken a copy of the handbook -- everything is spelled out in the handbook -- and he signed the form saying I received one, I already read it, I understand its contents. Why do we need to also create a poster and -- and cost more money to make a new -- something else new that the employer must do in order to satisfy this bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

If you read the bill it also says it has to be in English and in Spanish. If your handbook is not

written in Spanish, then you would have to notify them in Spanish.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

And through you, is it either or -- or or both -- handbook, poster, combination or handbook or poster?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. It's one.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It's one of both -- one of the above -- one that he talked about.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you. So it is one of the two. It does not have to be both. That's what I want to know. Thank you.

Let me move on.

Through you, Mr. Speaker.

Mr. Speaker, I am very appreciative for the fact that manufacturers are not included in this legislation. But a question was asked of Representative Zalaski about why manufacturers were excluded. But here is my point. Representative Zalaski said that we know that manufacturers compete globally and my company -- meaning his company -- was threatening to go to Mexico. And I know there are many companies who have threatened to go down to Mexico and the south and China and here, there and everywhere. I understand that.

But if we are saying that we are excluding manufacturing companies, but yet we have a janitorial company coming in to clean the shop or clean the offices and the janitorial company is included in this bill, what the janitorial company will do is obviously they need raise their prices and who are they going to pass the cost to? Their

customers and in this case the manufacturing company. So what happen is no matter what, when we increase taxes on one segment of the economy, we increase taxes on every segment of the economy.

This is a mandate on some employers and it's going to translate on mandates on other employers where those people support them.

I have said many, many times in the past every manufacturing job that is created has a ripple effect for four more jobs throughout the economy, four jobs.

Now in this case it's just for the reverse. What is happening is it's impacting that manufacturing company because it is increasing the cost of a person doing business in the State of Connecticut. And when you increase the cost, you lessen competition. The business is going to go someplace else. It's not going to stay in Connecticut. If my cost of doing business is \$1 per piece and somebody in South Carolina has a cost of doing business for 98 cents apiece, I am going to lose that job. It's going to go to South Carolina.

That's exactly how things are happening in Connecticut and we keep adding to it, adding more,

more, more and more. I see it every day. I'm not going to repeat what Representative Cafero said about the cost of doing business, about our healthcare, about energy, about our Workers' Compensation, our unemployment compensation, our -- about our transportation system, skilled workforce, housing. All of those are factors that impact us and impact us in a negative fashion where the cost of doing business in the State of Connecticut escalate and our ability to compete in the marketplace decrease.

We are no long competing against our neighbor across the street. We are competing against our neighbor across the ocean. And that is basically what is happening to businesses in Connecticut. We are losing customers one at a time.

The other day when we were here there was a friend of mine during the CBI -- CBIA Day is a person who ran a company in the city of Waterbury that had 120 employees -- 120 employees. Just close their doors about six months ago. We cannot continue to do that. We cannot continue to do that.

And through you, Mr. Speaker.

I would like to pose another question to

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Representative Zalaski if I may. Through you, Mr. Speaker, I am reading the Section 1 of the Fourteenth Amendment of our Constitution and Section 1 specifically says all persons born or naturalized in the United States and subject to the jurisdiction thereof are citizens of the United States and of the state wherein they reside. The section continues to say that an employer or a person does not have the right to deny any person within its jurisdiction the equal protection of the law.

Now I read this for one specific reason, for one specific reason. Whether we know it or not, whether we like it or not, whether we welcome it or not, we do have undocumented immigrants in this State. Whether we call them undocumented, whether we call them illegal, we call them whatever we want to call them but we know that they exist and we know that they work. So through you, Mr. Speaker, to Representative Zalaski, undocumented immigrant then do not fall into this -- into this bill.

Through you, Mr. Speaker, am I correct?

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I wouldn't know that.

DEPUTY SPEAKER RYAN:

Representative Noujaim.

REP. NOUJAIM (74th):

Thank you, Mr. Speaker.

I would accept that answer but I would think that they cannot because under the Fourteenth Amendment they're not.

But at any rate, Mr. Speaker, let me end by telling you another story. Mr. Speaker, I have a sister-in-law. I love her dearly. I am blessed to have her. She's a wonderful, wonderful lady. She keeps asking me because she works for the service industry and she keeps asking me when is the paid sick leave bill is going to pass? And I explained it to her and I explained it to her the ramification. But, of course, she has in her mind that she would like to take five days.

So the other day she and I were sitting down and we're chatting and she said to me, When is the paid sick leave bill is going to pass?

So I said to her I said, Let me ask you a question. Do you have vacation time with your

employer?

Yeah, I have four weeks.

I said, Wow. I said, do you have personal time?

Yeah, I'm allowed five days.

I said so you have four weeks of vacation, five days of personal time and you're asking about paid sick leave.

She said, Yes.

So I went like this and she said, Yeah, I guess I get your point.

So companies are really generous with their employees. I've been working for corporations for the past 35 years. I have not seen an employer who's stingy. I worked for large companies. I worked for small companies. I worked as a stock boy in a department store in the old mall in Waterbury called the Naugatuck Valley Mall, which no longer exists.

I was a stock boy and my boss, at the time, took me under his wings. I had just come to this country. He took me under his wings. He helped me. He taught me. He treated me like equal. He didn't have to do that but he did. He treated me like

equal. And Mr. Speaker, when this gentleman who was my boss passed away it was one of the most traumatic days of my life because I owe him a lot because I learned from him, because he treated me like a human being.

And you know Mr. Speaker, I've been at both sides of the aisle. I've been a stock boy. I've been a janitor. I've been a manager. And from both sides I've seen people treating each like families. And sometimes they don't need our laws to treat each -- to treat each other like families.

Why do we continue to put mandates that do not make sense? With all my respect to the proponent of the bill, who's a good friend of mine and to you who previously served as chairman and for the Senator upstairs. Why do we keep putting mandates on employers just to -- just to hinder our ability to do business?

And with that Mr. Speaker, I thank you for your time. I thank Representative Zalaski for all his work. And I intend to oppose the bill.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Thompson of the 13th.

REP. THOMPSON (13th):

Thank you, Mr. Speaker.

Mr. Speaker, the Minority Leader in speaking against the amendment referenced the Depression. If he opened the door -- that door, may I go back to it very briefly? And as usual I will be brief.

I was born in the Depression and as a youngster I had diphtheria. We don't have diphtheria anymore in this part of the world. It's one of the diseases that modern science has eradicated. And I believe we continue on that path not only here but throughout Europe and much of the world.

However, I think that the bill we're talking about -- or the amendment we're talking about is a small step. It's a piece of the puzzle, and it shouldn't be considered the beginning and the end of it.

Many of our people in the Depression and later in World War II sacrificed a great deal. Minority Leader has also mentioned that. And we have come a long way in our own country in meeting crisis after crisis.

Well, Representative Cafero called it probably the worst period, at least in the economy,

economically since the Great Depression.

I believe that we are beginning to do things in our State, in our country. The national government has expanded much of its programs affecting the poor and encouraging us to do as well. The Obama Administration has expanded dramatically the federally qualified health centers and we have benefited from that in this State. And I think we will continue to benefit from it as more and more people lose their jobs for a period, they will have a -- that opportunity.

And if you needed any better proof just remember what happened down in Waterbury a couple of weeks ago. Almost 3,000 people showed up to receive dental care and many of the practitioners came from the federally qualified health centers around the State. And the dental surgeons, the dentists, the dental technicians were all volunteers. They were people who were willing to give up a weekend to provide service to our citizens. And I believe that that's the American way.

So we are quarreling about this bill, and I think of a -- someone I went to school with. I had been -- well, orphaned by the time I was 19. My

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parents were both dead leaving my two sisters and I. We found a home with my aunts. I was in the Marines at the time my father passed. Came home from Korea, was sent back after seeing him and burying him and then I went on to college. I had the GI bill, another benefit that I probably couldn't have afforded on my own or would have had to work my tail off to get through school. But I and many, many other young people through the Korean War were given those benefits. I, also, through my life, have always had health insurance. One period in my life I had to buy it myself, but the other times my employer, including the State here, had provided health insurance not only to me but to my family.

But while I was in college I met a young man from Brooklyn. I was from Staten Island. And we travelled together back and forth. We eventually became roommates. And when I was married to my wife, my late wife, we were -- he was the best man at my wedding -- our wedding.

He joined the Marines after graduating from college. I joined the Marines after graduating from high school. I went to Korea, he went to the, eventually, to the language institute and he was

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taught Chinese, became an interpreter, headed up an intelligence unit and called me one day in the summer of 1964 and said he was on his way to visit three sites over in the Middle East and eventually to Vietnam. Didn't expect to be over there more than three or four months and he would be back and we would get together.

On Christmas Eve in 1964, he was on a rescue mission with the South Vietnamese Marine unit and they were jumped. And he was last seen wounded and being dragged off by the Viet Cong. Well, we -- his widow, getting ahead of myself -- his wife and four children were still in Hawaii. They came home to Vermont. And the Marines started to look for him, I guess, and the government started to try to find him and in the meantime they were promoting him and taking care of his family as best they could. And I can remember being asked to write some letters and writing to Mim Daddario and Senator Dodd when some issue came up affecting the MIAs and they were instrumental as was Congress in providing benefits to families of the MIAs and POWs.

But I was next invited to a boat launching -- a

ship launching up at Bath, Maine which would bear the name of my friend, Don.

He received the Medal of Honor. I saw his family up there in -- in Bath, Maine, his widow and his four children. And in the meantime the Marines had continued, of course, his pay and by this time he was a colonel. But he was the first Marine captured by the Viet Cong in Vietnam.

And the reason why I mentioned Don is I've thought so much of him and the sacrifices he made. And none of us are being asked to duplicate anywhere near that.

And so we're talking about details here tonight, but I wish we would all come together as we, I think we are, in addressing the issues that face our State now with that same kind of American spirit.

So I'm speaking in support of the amendment and in support of doing other things. But I see across our State now, doctors and other healthcare professionals volunteering, providing services. And we know more and more people will be unemployed and more and more will lose that -- those benefits. So whatever we can do, whether it's asking companies to expand their sick leave program a bit -- and I'm

sure many of them will do voluntarily anyway. I think we can set an example here by saying we'll suck it up. We hope it works out for all of our companies to be able to do that. And I think that will be addressed some way.

And -- but what we want to do is set an example that we're feeling your pain and we're going to help. And this is one small step in that direction.

And I think it will be helpful to not only the people that benefit from it but also all of those -- all of us here to support whatever our State and our nation are going to do to get us out of it. And you know there are good signs, the expansion of the FQHCs, the investment in the UConn Health Center, I think, and it's a job producer and it's what we need right now.

So I'm speaking in support of the amendment. I hope that we will do other things like this to help those families who are in great need and we get on with restoring Connecticut and our country as we've done in the past during the Depression, during World Wars, and so on.

So thank you for listening.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Candelora.

We just ask you to maintain the decorum of the Chamber please. We don't give any opinions verbally or any other exhibition when someone speaks.

So Representative Candelora of the 86th.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

Mr. Speaker, I rise in strong opposition to this piece of legislation. Quite frankly, I find it one of the most offensive things that we've considered in this Chamber since I've been here.

I wish that today we had more people in the Chamber to listen to this debate. I hope that their absence doesn't mean that they're not listening, and I hope that they're listening to this on the -- on the TV.

For me, this debate and this bill strikes very personally because if this bill is passed my business certainly will be affected by it. And like other -- so many other people, I think, in Connecticut, that are operating small businesses, the last two years have been a struggle that has not been seen in decades. And what we're doing here

today is possibly passing a policy that's going to pile more on to our businesses and to the little guys.

We talk about possibly exempting 50 employees or under in this legislation. So it seems like we're going to be creating a lot of winners in this scenario. There's going to be a lot of businesses that aren't affected.

And originally when this legislation was contemplated the concern was public health. And as the bill moved along through the process we saw more and more employers being concerned and more and more constituents calling us. And as the bill moved through we carved out exemptions for organizations. And I think it's what we've heard tonight in the debate, it's been somewhat arbitrary where those lines were drawn and what institutions got protected.

But certainly with the way this is drafted, we've created winners and losers. So if you employ more than 50 employees, you're a loser; if you're less, you're a winner. And when I say that it's because an employer of over 50 employees is going to have to do something, going to have to comply with

another regulation that they didn't otherwise have to comply with. And in this economy where it has been so difficult to survive, I don't know what the effect is going to be on those employers over 50.

And, frankly, my concern is clearly two things are going to happen. Number one, employers that want to bring in and expand aren't going to. I've already created a plan in my own business to figure out how I can fall below this threshold and it has nothing to do with sick leave. It has to do with the four corners of this bill and how we navigate through it. I think as our Minority Leader pointed out there are so many ambiguities in this language. It creates causes of actions, it changes the dynamics of your employee-employer relationship, it puts you in a box that you don't otherwise want to have to be in. I don't want to have to go to work in a sterile environment where I need to worry about when I can give my employee a day off, what note he or she needs to submit to me, what I need to post.

I believe the employers in this State are decent people. They're just like all of us. And they want to do what's best for their employees. And to me this is offensive that we are stepping in

and we are going to dictate the employer-employee relationship.

And if this bill passes -- which I imagine it will -- there is no turning back. And like we see with so many other pieces of legislation, we are going to be faced with tinkering this bill down the line to figure out how we strike the right balance. And I think starting out out of the box, as it was pointed out earlier, we've carved out a particular area and I think it -- what I heard was -- under the philosophy that we're going to try and see how it works out.

Well, it's not really "we" seeing who -- how it works out. It's going to be the employer and the employee. So what's going to happen is when an employee has to potentially forego their tips and they can't swap out a -- a sick day with somebody else and say I'm going to work on a Monday and take Saturday off and they're going to find out that this bill dictates how they can take their time off and how the employer is going to give it. We're going to get the phone calls. The waitresses and the waiters will call us up and say, you know, I don't like this. I want to be able to swap time out. So

we'll come back and we'll have to tinker with this. And we're going to hear from the employers of how it restricts their ability to operate in their workforce all under the supposed policy of wanting to prevent sick people from going to work.

But when I read this legislation, there's nothing in this preventing an employee from going to work sick. An employee can go to work sick, they can go to work healthy. It doesn't matter. All this legislation does is regulate. And so we can go out after this bill passes and say we accomplished something, but I'm not sure we accomplished it. I'm not sure we've accomplished any of those goals.

My other concern is -- you know, I am in the service industry and one of the things my father always taught me was perception deception. He said, Son, things might not be going right, but if can deceive people and they think everything is running smoothly, you've accomplished your goals. So when we're working on the front lines with our employees, we've had some hiccups happen and sometimes it's fun, we try to figure out how we're going to get around one of our obstacles without letting the public know and at the end of the day when we've

satisfied our customers, we feel real good about it. And I think it's ironic because this bill is tailoring that exact model of perception and deception.

We could all sit here today in our minds and say you know what, it only affects 50 or more employees. It only affects certain service industries. As we heard, seasonal workers aren't affected so our farms are okay. So if the farmers complain to us we can tell them, no, we protected you. If our YMCAs complain to us, we can say, no, we protected you. But then we can do to the working families and tell them we did this bill for you. You wanted paid sick leave; you got it.

The problem is that this bill may do a little bit of harm but the perception out there is it's doing a lot of harm. And so when businesses across this country and in -- in the globe, hear about Connecticut passing a paid sick leave bill, they're not going to read this document. They're not going to pick through and say, well, you know what, it -- it doesn't really apply to that many businesses so it's not going to hurt us. We can move there. No. They're going to say Connecticut who just raised

over \$1.8 billion in taxes next year, some retroactive on businesses, is now going to pass another mandate on business for paid sick leave in this year at a time that is so uncertain that can't be worse for anybody and we're going to do it.

And I -- I can't understand it. Especially that when the overriding public policy interests of not wanting people to sneeze on our food isn't even met by this legislation. Because I would suspect that most restaurants don't have 50 employees so they're not even going to fall under it. And the way we've carved out these exemptions -- it's -- it's certainly in my situation I could have 45 employees that don't fall under the definition of a service worker, but I might about 10 that do. And that pushes me up to 55 and guess what? I get pulled under this bill.

I certainly think that this bill is ill-conceived. It's at the wrong time and, Mr. Speaker, if I may I have a few questions to the proponent of the amendment.

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

There was some discussion about the definition of a day or temporary worker. And just to be clear there are situations where employers will hire individuals where they certainly don't fall under the definition of an employee under our labor laws. And in those situations where individuals are hired -- and I believe it's a threshold of \$600 that are paid out to them or more, the employers need to get a 1099 to those individuals. Through you, Mr. Speaker, would those individuals then be considered a day or temporary worker and, therefore, not fall under the jurisdiction of being counted as an employee?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

If you get a 1099, you are not an employee.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

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REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And so just specifically for the purposes of this bill, you would not be considered an employee under the definition in lines 16 and 17?

Through you.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

That is correct.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And through you, Mr. Speaker.

Under the definition of service worker, we have the term "employees primarily engaged in an occupation with one of the following," and we have a laundry list of -- of classifications. I don't believe this question was asked but I know those are classifications that are -- that come through the Department of Labor.

Would the good Representative know how employees of particular employees -- employers are defined under these? Who defines the employees and

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puts them into these classifications?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

That is a classification system that the federal government came up with.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And so currently does Connecticut have sort of an audit procedure where they've already classified these service workers so that if this bill goes into effect, we know where all of our employees in the State of Connecticut are classed under this federal system?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Anybody could look up their class by looking themselves up in a classification system on the Internet.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

Through you, Mr. Speaker.

These classifications, are they currently used through the Department of Labor for any other purpose?

Through you.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I'm not aware of anything.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

So Mr. Speaker, if an employer sees this legislation and they want to determine whether or

not, they certainly have 50 or more employees -- and they want to determine whether or not they fall under the jurisdiction of -- of this provision, how would they know how to classify their employees?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I could only guess but I would say if you're a social worker, you would know that under the classification you are a social worker.

But I would like to clarify something you said a little earlier. Just so you know that when you said that if I had 45 employees that weren't covered under the bill and I had 10 that were, I want to make sure that you know that only the 10 would get the paid sick days not all the 55.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

I appreciate that answer. I'm aware of that

and we'll -- we'll certainly get to that issue down the road.

But -- I'm -- I'm wondering then will the Department of Labor or -- or do we have a system that's set up that employees and employers will be able to know how they're classified? And -- and I ask the question because certainly you could read some of these definitions, such as social worker, and you figure yeah, I fall under that. But there -- there may be a definition such as a food service manager or just broad, you know, broad definition of therapist. Do -- do these definitions or -- excuse me -- do these words that are listed, this laundry list, have a definition or description that's associated with them so that employers will be able to classify their employees?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I think if look up these definitions in -- on the Internet under that site, you will find they have a definition of what the worker does.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

So is it the employer, then, that would get a letter in the mail from maybe the Department of Labor saying you now have paid sick leave potentially and we're going to give them a list of words that they could Google and then determine whether or not they would have to pay these individuals paid sick leave?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker, no.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And through you, Mr. Speaker, then, how would an employer know at what point in time they would fall under the requirements of this provision? How

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we going to notify the employers?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I hope this doesn't sound inappropriate, but if you're in business you should know what your employees are doing.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

I -- I appreciate that answer and as I stated before, certainly, I am in the business. I understand it. I may or may not my business -- may or may not be subjected to these provisions. I'm not familiar with these federal guidelines having worked in the service industry for 20 years. I struggle with these definitions to determine whether or not my employees would fall under it. I have a law degree and I practiced transactional law for five years so if I'm struggling with this, I think

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employers would also be struggling with it. So if we're going to pile this on our employers in the State of Connecticut, I think it would make sense that the State of Connecticut would expend some money to try to ascertain what an employer is going to have to comply with.

So, through you, Mr. Speaker, have we appropriated any money to the Department of Labor to assist employers in determining whether or not they would fall under the jurisdiction of this bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I think the commissioner said that there -- it'll be under -- it says right in the bill under the finances that they already have (inaudible) -- "the Commissioner shall administrate this Section within available appropriations."

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And I -- I saw that lines, you know, lines 246 through 247. As I read that, the Labor Commissioner shall administer this section within available appropriations, am I correct in reading that section means Section D only?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. CANDELORA (86th):

Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

Just to clarify. Section 5 only, not Section D.

Through you.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

And through you, Mr. Speaker.

Can you give me the line you're talking about like in the 230s or something?

REP. CANDELORA (86th):

Sure.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

In lines 246 and 247, that reference "within appropriations" refers to this section and so, as I read that, does that limit -- that language -- is that language limited only to Section 5?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

It's -- it's in -- the same quote was used in Section 6. And might I just say to add to this in that the commissioner and the Department has felt that after talking to people from the Labor Department in San Francisco, as I have stated before, they got this law in 2007 and only have had -- and they have it for everybody not employers of under 50 -- anybody that's an employer. And they have only had 200 complaints since 2007 which

averages out to less than five per month. And hearing that they felt that they could do it with, you know, they will have to hire no one and under available appropriations.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And I appreciate that answer. I guess my concern certainly right now isn't with enforcement. My -- my concern really is in administration of this particular piece of legislation because as what we're hearing right now we have not appropriated dime one to administer this program. So we are going to tell employers, you have hire a bookkeeper if you don't have one -- because you're certainly going to need one after this bill is passed -- or you're going to have to have your bookkeeper account now for every single person's hours. I think it's 40 hours you work, you get one additional hour. And if you're a food manager, you fall under the bill; if you're a cashier, you fall under the bill; if you're washing dishes, you might not fall under the bill.

So they've got to keep track of all that administration. So employers are going to have to spend money. And guess what Connecticut? You don't have to spend dime one. We're going to leave it all on the employers to figure this baby out. It makes no sense to me.

Through you, Mr. Speaker.

The service worker definitions that we have, are these definitions also used when we're categorizing for Workers' Compensation?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

I wouldn't know that.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

I -- I guess that's another struggle I have with -- with the provisions and what we're trying to do here because I'm not sure where these definitions came from. I know I read here it says in lines 42,

it's the Federal Bureau of Labor Statistics Standard Occupational Classification System or any successor system. So we're going to leave this in the hands of the federal government to set the definitions that are going to determine what employers in the State of Connecticut and what employees -- which employees receive benefits under this law. So that if the federal government amends these classifications, the employers' responsibilities will change. So tomorrow they might fall under this bill; a month from now, they may not. We're putting up into the hands of the federal government.

And these classifications while on its face may have some relationship to public health and trying to prevent the spread of communicable diseases -- because I think that was the overriding policy -- we're not defining any of these positions. And so it's puzzling to me why we're letting the federal government define this for us.

Was there any discussion in the public hearings, Mr. Speaker, on -- or through the committee process of -- of why we chose federal standards in making up these definitions?

Through you, Mr. Speaker.

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DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker, no.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

Were these classifications in the original bill  
that was heard before the Labor Committee?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker, no.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And I -- I guess that's also just part of my  
concern with these definitions. They come in  
through a strike-all amendment. I'm not sure where  
they came from or what individuals contributed to  
the process, but I certainly think it's potentially

problematic for employers because I'm not sure they use this system when they're classing their employees.

I know personally that there are classifications for Workers' Compensation purposes. That may have made more sense to go that route because at least in that process the Department of Labor already has an audit procedure set up. The employee fills out some of that information, and I think we may have more control over those definitions.

These definitions -- I'm just not sure any employer would understand what the legal effect of it would be to classify them. And I just don't think there's any real relationship to the intent that we're trying to establish under this bill.

I think it's good to see -- important to see that we certainly excluded our manufacturing sector from this particular amendment because, as we all know, manufacturing does struggle. I am puzzled, however, why we've decided to carve out the nationally chartered organizations that are in the business of recreation, childcare and education. And I think I go back to the winners and losers

under the provisions of this bill.

Ironically, my business performs the exact services that fall under the definition of 30 and 31. The only difference between my business and the business in this definition is I'm not a 501(c)3. So I guess, I mean, one of the ways that -- that I could get around this is maybe I could become a nonprofit, which is another issue that -- that strikes me strange. And it sends the wrong policy message and -- and I think we see it time in and time again.

If the bill isn't good for our nonprofits, it's not good for our profit industry either. And so at times -- and don't get me wrong, nonprofits perform a fantastic service in the State of Connecticut but so do our private sector businesses that pay taxes. And I don't understand why this legislation is tone deaf to the businesses that pay our taxes, but we're listening loud and clear to the nonprofits that don't pay our taxes, but they're able to hire their lobbyists and they could advocate appropriately.

If I could, Mr. Speaker, we had some discussion over the -- over lines 131 through 135 which deals with, I guess, the amount in which a service worker

would be compensated. And my question, through you, is in the restaurant industry we have employees that are paid less than minimum wage because of the tip credit that we give them. And I think the amount comes out to somewhere around \$5.69. If a waitress calls in sick and is entitled under these provisions to have that paid sick time, what would be the dollar amount per hour that that employee would be entitled?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

The hourly wage or the minimum wage, whichever is higher.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And so, essentially, as I read that particular provision, any employee who may be making less than the minimum wage for whatever offset that legally

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they can give, if they're going to be compensated for sick time, we must bring that up at least to the minimum wage of 8.25 per hour in order to comply with federal law?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

That is correct.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And going to lines 120 through 126 -- this sort of was the area, I think, we talked about where employers if they're giving sick leave and they have a policy of their own, they could sort of be exempt from the provisions.

Now as -- as I read this, am I correct that an employer who -- who gives individuals five days or more annually in either a personal day, sick day or vacation time, would meet the requirements of Section 3 under this bill?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative, would you care to answer that again?

REP. ZALASKI (81st):

Through you, Mr. Speaker.

As long as they could use that in the same manner they can on their regular sick day at any time.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

So that while an employer who falls under the provisions of this bill would not necessarily have to change that underlying policy, they would fall under the remaining procedural provisions so they would fall under the requirements, you know, that we hear about in Sections 4, 5 and 6?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

What they would fall under is they'd have to

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allow you to take sick time any time you'd needed it up to the amount you had coming to you.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

But say if I'm an employer and I have 55 employees, clearly I fall under these provisions. I'm currently giving each one of my employees two weeks off for personal days. They could take them any way they want. If -- if this bill goes into effect, would they now need to comply with Section 6 which would require that they give notice to their employees?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

They would have to apply -- yes, they have to abide by the rules that are in the bill.

Through you, Mr. Speaker.

But also if they wanted to take it hourly, if

they have -- their child is sick and they have to run him to the hospital and it takes an hour or two, they have to be allowed to use that -- some vacation time or any other time for that purpose.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And then also in Sections 5 which outlines the -- the new cause of action for employees and this procedure, they would also be subjected to these causes of action in Sections 5?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

Anything that's in the bill, they would have the same rules as long as they come under the bill.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And then in lines 22 through 30 and there was some discussion about this about the -- the language of the commissioner may hold a hearing. If a complaint is brought by an employee -- I was just curious with the "may" language -- would this mean that the commissioner can act on a complaint that was submitted by the employee without having to make any investigation whatsoever and could issue a sanction just based on a complaint that's filed with the commissioner?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

And I'll be glad to answer that for the third time tonight. And, that is, that if you -- I lost train of thought -- could you ask me that again?  
I'm sorry.

DEPUTY SPEAKER RYAN:

Well, it was for the third time.

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And I'm certainly I'm trying not to duplicate the questions. But if a -- if the commissioner receives a complaint from an employee --

REP. ZALASKI (81st):

-- okay.

REP. CANDELORA (86th):

-- can they just act on that complaint? Are they required to investigate?

Through you, Mr. Speaker.

REP. ZALASKI (81st):

Yes and I'm glad you asked that really -- even though it is the third time. I apologize.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Excuse me.

Through you, Mr. Speaker.

And that is that we've learned from San Francisco's case that they had -- since 2007, they've had only a 100 cases of complaints against employers. That turns out to be less than five per month. And, with that, they told us that most of the time they only had to make a phone call. The

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reason we put "may" in there is because most can be settled with a phone call.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And I think one final question, in Sections 136 through 140, we've sort of have this carve-out that allows the employer and the service worker to get together, you know, upon mutual agreement. And I think what this language is getting at is that it would allow the employer and the employee to get together and decide that if employees want to be able to trade their time, rather than taking the paid sick time, they would be allowed to do that.

My -- my question is that we have the mutual consent language in the beginning so as I read that I -- my understanding is that the two parties would have to agree. In lines 138, though, we have the language of a service worker who chooses to work additional hours or shifts and that seems to suggest that's their sole discretion. And just to be clear what that means is the employer and the employee

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need to mutually agree that they could first have this swap and then if they have this agreement, the service worker then would have the option to exercise it at their will.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Only with mutual consent of the employer.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

So that would be mutual consent each and every time the employee would want to exercise this provision?

Through you.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Yes, Mr. Speaker, yes.

DEPUTY SPEAKER RYAN:

Representative Candelora.

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REP. CANDELORA (86th):

Thank you, Mr. Speaker.

I appreciate the good Representative's answers to my questions.

Mr. Speaker, as I stated before I have strong reservations about this particular piece of legislation. And certainly having been going through this process over the last few years and coming from a family of -- a large Catholic family, I -- I can appreciate not always getting my way. And so when we look at different bills and different pieces of legislation, there is sometimes the art of compromise.

But I don't think in this particular type of legislation that there really is any room for compromise, especially in this kind of economy.

As we've heard before, we're looking at 9.1 percent unemployment. We begin to read in the papers now again that, you know, China is not purchasing our debt any longer. And there is fear that there's going to be a double dip recession. And I know in -- personally, in my business over the last two years, my employees have really had to dig down deep and have had to work hard. And I think

I've said this before to the Chamber that many of them have not had increases in the last two years.

And an interesting point of fact in my industry and I think many of the industries that we're capturing in this legislation, they're real interesting hybrids because similar, like YMCAs, we have full-time workers who are paid a full-time salary with benefits enough to live comfortably in the State of Connecticut. But these kind of businesses -- your restaurants, your recreation industry -- they also survive on your part-time employers typically your 16- to 18-year-old market, your college kids. And these are the people that come to work for you for minimum wage. And they love these jobs because of the flexibility. They could work one day a week. They could work five days a week. They could work at night, in the daytime, in the morning.

And this is the same industry that gets hit when disposable income drops, and I think we hear that from the restaurants. I think that's why they fought this bill so vehemently. And -- and the problem is -- what's interesting is, the ones that get hurt with bills that cost money are the

full-time individuals, the family workers that we're trying to protect. Because I know in my business, we look at the part-time workers, we're -- we accommodate them and the full-time workers are the ones that always go without. The managers are the last ones to see the increases, and they're the ones that have to work the hardest.

And the way we have crafted this legislation, we may be helping out individuals that work minimum wage and we've never really figured out that number, but I have to believe a large population of those individuals are students that don't really necessarily want this legislation.

I have over 40 students that work for me and I've never had any of them say to me I really need paid sick leave. What they typically do is call up and say I can't work, can I trade my hours, and we let them trade hours on their own. We don't even get involved sometimes. That's the kind of flexibility we have.

Well, now under this bill, I've got to come up with a mutual agreement. I've got to sign off on it. They can't necessarily just swap because as we've heard under Sections 136 through 140 the two

parties have to mutually agree.

Well, what that means to me, as an employer, is I'm going to have to get it in writing because what I can't afford is to deal with a complaint. And what we might have heard is so there's only 200 complaints that's filed in San Francisco. Well, number one, San Francisco is not Connecticut. Thank goodness. Unfortunately, I think we're going to get there with this piece of legislation. But number two, one complaint for an employer puts them out and it's a heck of a lot of aggravation for them.

I had an employer call me up the other day that has to deal with a CHRO complaint that he feels and from what I heard it -- it doesn't have merit. But what employers have to do with one complaint under this bill is they have to hire an attorney because another interesting fact is corporations cannot represent themselves. So if this gets into any type of judicial proceeding, an employer has to hire an attorney if they're a corporate entity. So that's a cost. And that's something that we may not have considered.

But when an employer is looking to move into the State of Connecticut or looking to stay here,

this is a cost that they're going to analyze. And to them they're not going to say, well, there's only a hundred complaints, I'm going to roll that dice. No. They're going to build this in their cost benefit analysis and say if I get -- if I fall into the provisions of this bill, I get one complaint a year, it's going to cost me \$5,000.

We shouldn't be making our employers even have to think about this process in this economy because what employers are doing right now, is they continue to try to shop the market for electricity, they try to shop the market to cut costs and now they're going to have to shop the market and try to figure out how this bill will give them and their employees the least amount of harm. And that's a problem.

I'd like to think that my employees and I have a great relationship. And I don't think they look at me as an employer. And, as I said before, I've never heard any of them say that they think this bill is a good idea. And I've had situations where I give benefits to my employee and I've had situations where my employees have exceeded their vacation time and their sick time. And I have the flexibility now, under current law, to pay them for

that time. And other employers have that ability to do that right now currently under the law. And I don't think we can discount that fact.

And I know -- we hear it all the time -- when employees get sick, they rise to the challenge and employers will help them. Sometimes they don't and that is a problem but sometimes they do. But what we're doing with this legislation now is we're going to dictate to employers in the State of Connecticut how you are going to treat your employees. And I have a problem with that because it's taking away the underlying decency, the innate humaneness that we see in our employee-employer relationships. This is the wrong direction to go. We shouldn't be contracting everything. We've got to leave something up to good faith and to relationships and this takes it away.

And why I find it so disturbing is what I'm hearing in the debate tonight is this is a first step. We've carved out these individuals and we're only having it apply to 25 or more employees because we want to see if it's going to work. But what are the odds if it doesn't work that we're going to repeal this? I don't see a sunset in this

legislation. And, as we all know, I think legislation is rarely repealed especially one that might deal with collective bargaining. I think it would be difficult so this concerns me.

I'm also concerned with what this legislation doesn't do. This legislation doesn't create a single job in the State of Connecticut. We don't even create a State job. We're going to be doing this within existing appropriations. So we're not even going to bother to hire a single employee to try to help employers administer this program. We're going to let the Department of Labor, hopefully, figure it out on their own.

But I recall two years ago we had a big problem when the economy tanked and people started sending in all their unemployment forms and the Department of Labor was all but shut down. I think it would probably behoove us to have a couple of employees to help these guys out, to help the little guys out, because if the Department of Labor gets busy with something more important, like giving people unemployment benefits, you could sure bet that this is going to sit on a back burner. And then we may see this legislation go by the way of CHRO

complaints and possibly whistleblower complaints, which nobody gets satisfaction out of in this State.

And it's become quite tense between employers and employees. Because so many times -- we always hear this -- the people that are filing the complaints, they don't have merit. And I've got to guess at least 50 percent of the time they don't have merit.

So in this situation, if we have 200 complaints filed under this new bill, you have to figure 50 percent of them are probably without merit., And that 50 percent is going to have a chilling effect on the State of Connecticut. And that's why we're at 49 or 48 percent of being business friendly. And I think all of us in this Chamber get frustrated when we hear it. Because I know Legislators work very hard at their jobs.

Yesterday we had some talk about the cultural jobs bill and there was discussion over the merits of that and -- and I believe there was good intent to try to help create jobs in Connecticut with that piece of legislation. But the problem is we then advance the very next day something like this. And we could say when we read it and we pick it apart,

it's only going to apply to a few employers, but that really isn't the point here. Because I think if that was the point, it would probably be easier for this to just pass through the night.

But the issue here, again, is about perception and deception. And unfortunately, the perception certainly around this country but probably around the globe very quickly is that Connecticut is the most business unfriendly State on the globe so employers aren't going to come here.

And so as concerned as I am with the four corners of this legislation and how an employer is going to comply with all these provisions, I'm really concerned at the message that we are sending out with this piece of legislation. And unfortunately it's come up year after year, it gets through the public hearing process, it's gotten through the Senate, I don't think it's ever made it through both Chambers but we're just about there. So at this point probably regardless of whether or not this bill passes, I don't think we've done anything to improve our business friendly reputation. And what may end up happening -- obviously, if this does pass -- is I think

businesses may be moving out of the State of Connecticut.

One of the concerns I have in reading this bill is just how an employer is going to go about complying with these provisions, especially, if you have multiple functions within a business. Similar to like the YMCA's and my business in order for us to be efficient we cross train our employees so that an employee may work six hours as a food operator and they might work four hours sitting behind a desk filling out paperwork. And I -- I guess in that situation I -- I do have one additional question, Mr. Speaker, is in that situation where an employee is working multiple functions, at what point in time would they be under the definition primarily engaged in that activity so that they would fall under the definition of let's say a social worker in line 44?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

You have -- it has to be your primary. That's the key.

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Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And what would that mean? Do we have a  
definition of what primarily engaged in would mean?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative --

REP. ZALASKI (81st):

-- Through you, Mr. -- sorry.

DEPUTY SPEAKER RYAN:

-- Zalaski.

REP. ZALASKI (81st):

Thank you, Mr. Speaker.

Anything over 50 percent.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

And so I would assume that the way that would  
be gauged is from the time that they were clocked in

it would be -- so based on 50 percent of the hours or minutes worked in that category.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker, I believe so.

DEPUTY SPEAKER RYAN:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Mr. Speaker.

I appreciate the answer and I certainly hope so.

But it is an interesting dynamic for some businesses that they are going to be faced with because you certainly do have and in these economic times you have employees that are cross-trained. So you're going to have an employee that might be 52 percent engaged in this particular category so they're a service worker 52 percent of the time, and I guess would fall under the definition of a service worker. If they're working under this definition only 48 percent of the time, then they no longer would be considered a service worker, and I

appreciate that.

I don't know how an employer is really going to be able to calculate that, but it does pose an interesting dynamic for our employers. It's going to be interesting to see how they possibly would even audit that system. I mean I guess what they're going to have to do is if you fall in the definition of any of these categories you're going to have to have -- you know, in my employment, we just have a, you know, a kiosk. You go and you just punch in. It's through a POS system. We don't even have time clocks or time sheets. But I would imagine, I guess, that the employee is going to have to have a sheet of paper and when they're working as a cashier for two hours, that's going to have to be logged in. And then we're going to have to figure out how they get logged out and get logged in if they're at the phone in the back office, you know, working as a bookkeeper or something.

And, to me, that's where this bill also defies all of common sense. And to me that's where I sit -- stand here very frustrated because for me and for other little guys out there, we've got to implement the laws that we're passing up here. So we've got

to figure out how we're going to comply with this. And to me, again, what is so offensive, we have nobody in the Department of Labor assigned under this section to help classify these employees, but we certainly made sure in Sections 5 and 6 where we have that hammer, where we're going to bang the employers on the head for violating these sections. We certainly made sure that the Department of Labor is going to be involved in that section. Sure we're going to do it within available appropriations but the areas that are dealing with employer compliance and how they're going to figure out how to deal with this law, we didn't mention anything. Good luck to them. What kind of message did that send? Why would anybody want to move their business here? And why would we ignore that in drafting this legislation?

If we agreed with the policy of not wanting sick people to go to work, if we agree with that, if that's what this is all about, then why wouldn't we put together a well crafted bill that would help the employer administer a public policy that we want to assert? But the way this appears when it reads we -- we haven't done that. We haven't provided any

mechanism to define these and we've left it to the employer to define them.

And the way I see this, the problem is an employer is going to sit down now, their employee is going to check in, they're going to have to log their hours -- which to me isn't all that efficient because now they're going to write down when they're ringing a register and they may run into the other room and that might not count. So they'll probably maybe try that or they'll just say forget it. Now I've got to figure out how I'm not going to comply with this. To me, the easiest way to do it is let's just fall below the 50-employee threshold. So we'll just lay people off and make sure we never grow our business beyond 50 employees, and that's the wrong message too. I don't think we want to send that message to employers. But when employers are left with a quandary or when people are left with a quandary, they're going to take the path of least resistance. And I think that would be that path -- is I'm just not going to hire any more individuals.

So, again, what this legislation doesn't do is it doesn't create jobs, it doesn't help the employer comply with any of these regulations until maybe

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they have a complaint brought against them. It doesn't entice any businesses to move to Connecticut, and it certainly doesn't encourage any existing businesses to grow jobs beyond 50. And I would guess it probably entices you to become a nationally chartered organization that's a nonprofit so that you wouldn't have under the provisions of this.

It concerns me when, you know, I go to work sometimes and you go out in the street and you listen to people and there isn't a lot of hope that comes out of their mouths and they say what's the use. I had that the other day. I had it -- our employee that we had -- our sales went up and I said, you know, that's -- you did a good job. Things are going well. And they said so what's the point? With the way things are going in the State, and it was discouraging. But I look at this legislation and I don't see hope in this bill. I see an anchor.

I also see that by pulling in paid employees, we're incentivizing salaried employees. You know the other way you get around this bill is to just salary your employees. And, you know, my father was

from the old school but when he created his businesses and he instilled this in me he said, you know, I like to pay my employees by the hour because when they work overtime they get rewarded for that. So the harder they work the more reward they get.

And when I started helping him out with the company, I moved some of the employees to salary. I figured he could budget that way better. And he said it's not going to work; it's not a good idea. And sure enough he was right. And we found productivity dropped so we moved them back to hourly. And you know what, they loved it. And -- and I'm not talking, you know, \$8.25 an hour. We -- we have prevailing wage. There are hourly wages throughout the State of Connecticut.

In our business, we have them that range from 8.25 to 25 dollars an hour. And so when our employees put in 40 hours a week and they go to 41, they get rewarded for that.

And I stare at this bill and I say, you know, I could afford my current structure, but when you're talking about a \$25-an-hour employee, it's a lot of money. This is a much bigger benefit. It's a much bigger cost that we are going to pass on to those

type of businesses. So now I look at this option I say, well, another option to this -- go to salary. And then you avoid this bill. And then what have we done to that relationship? The employee is not going to be happy and that's an unintended consequence of this bill.

I don't throw these things out there to try to, you know, shoot it down or find an aha. It's real. These things are real. Every word in here has meaning for somebody. I think a lot of us -- some of us may have just skimmed this and we kind of get the feel for the overall policy for getting paid sick leave, and probably most people around in the state of Connecticut have read this and just say, "Yeah, paid sick days, I'm for it," or, "I'm against it," but not many people are really going to read the four corners of this document, and so we could play it both ways.

I mean, we could say to the employees that want it in our District, you know, "Yeah, you're going to get it, it's a good thing," and the employers that don't want it, we could say, "You know what? You're not affected," or, "Here's a way you don't have to be affected."

So, there's probably enough navigation through

this document where maybe in the end nobody is going to be affected by this, but what's going to happen in the end is the policy that's actually been carved out is not the policy of let's avoid having sick people go to work and spread illness. The policy that's going to be carved out is let's have salaried employees; let's have businesses that have 50 or less employees, unless you're manufacturing -- and I think you're okay -- and if you're YMCA, I think you're okay, you can grow there -- and I think that's ultimately the policy that we're setting forth in this document.

And that's what I say when I say that perception-deception. So, we could all read this document and justify it in our heads what it's going to do and not do, and we can say it's not going to affect the seasonal worker, it's not going to affect manufacturing, but it is going to have an effect, and that effect concerns me, and I'm not so concerned personally as a business owner that might be affected by this legislation, because I think what's already been pointed out, there's ways to navigate through it so that you do as little harm as possible to your business and to your employees, which I have to say is who I'm concerned about more with this legislation, because I know my employees

that are going to be affected by this legislation are not going to like the changes.

So, maybe some employer and some employee out there that is affected by this legislation is going to like it. I certainly know mine is not.

You know, at a time when things are just so volatile and we see gas prices increasing, and all of a sudden they're coming down, you know, for us we sigh a relief when we see gas go up to -- you know, it goes to four 20 and it comes back to four dollars, and I know I do this. I say, "You know, thank goodness; maybe we're not seeing that, you know, inflation kick in," but the reality is, it is. There is an undercurrent that's going on I think that the private sector sees, that employers see, and then they're going to see this legislation, and this is going to have a dramatic impact on them.

It's the wrong message at the wrong time. It's disappointing we had to take up this piece of legislation. I think, you know, when we argue tax policy and we argue the deficit, certainly we could have our disagreements of how we solve our budget problems, and certainly as a government the options we have are reducing spending and protecting the safety net, cutting away at the safety net, increasing taxes, decreasing taxes, and then

certainly we have our relationship, that we have a place in the private sector, but I think we should have a very cautious role, and I think while we try to have a cautious role by creating all of these exemptions and crafting in a certain way, I think we really miss the boat.

We have created a classification system that no employer is going to be able to figure out until they have a complaint brought against them, and then they realize they comply under this law because we have no real solid definitions, clear definitions, that know they fall under this provision. All an employer is going to know is if I'm 50 or more employees, I potentially fall under these provisions, so then you're going to see wages affected, salaries affected, possibly businesses that say, "I'm not going to stay here," and it's unfortunate. It's unfortunate for our constituents; it's unfortunate for the hard work we're doing up here. When we try to create jobs, we all know it's difficult, and we've had that debate of can government really create a job. No, it's the private sector; no, it's government. We're not even having that debate, but I could be certain that if this legislation goes forward, this bill will not create a single job in the state of Connecticut, and

undoubtedly it's going to cost us jobs in the state of Connecticut, and that is the most unfortunate thing that we're doing here today.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Representative Adinolfi of the 103rd.

REP. ADINOLFI (103rd):

Thank you, Mr. Speaker. Through you, Mr. Speaker, I have a few questions for Representative Zalaski, please, through you, Mr. Speaker.

Through you, Mr. Speaker, Representative Zalaski. In the bill -- I've just read through the bill probably ten times, every line going through it, and I have a lot of trouble with the way it's written and the clarity in it. I think the bill is very, very prejudicial and discriminatory; however, we can get into that at another time.

I just want some specific questions answered through you, Mr. Speaker, and what I'm saying, is it possible -- and we probably know this is true, Representative Zalaski -- that there are a lot of companies whose corporations and headquarters are outside of Connecticut but have branches and facilities within Connecticut? Am I correct? Through you, Mr. Speaker.

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DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. My own company is that, so I gather there are others. Through you, Mr. Speaker.

REP. ADINOLFI (103rd):

Thank you, through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Adinolfi.

REP. ADINOLFI (103rd):

Then I -- through you, Mr. Speaker -- I refer to line 18 through 21: Employer means any person, firm, business, educational institution, non-profit agency, corporation, limited liability company, or other entity that employs 50 or more individuals in the state at any one quarter in the previous year.

Now, through you, Mr. Speaker, if this company has 100 employees in New York and 40 in Connecticut, must it comply?

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. No.

DEPUTY SPEAKER RYAN:

Representative Adinolfi.

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REP. ADINOLFI (103rd):

Through you, Mr. Speaker. The legislation in front of us doesn't say that. It doesn't specify the state where those employees must be employed. I'm -- I will put in an amendment later on to add the words "state of Connecticut" or "of Connecticut" after the word "state," because we have many corporations that are not located in the state. Through you, Mr. Speaker.

The other questions I have through you, Mr. Speaker, is when you get down to non-profit -- let's see, it would be -- let's see. Oh, yeah. Line 27 where we exempt any nationally chartered organization exempt from taxation under Section 501c3 of the Internal Revenue. Now, we did go through that earlier tonight, and through you, Mr. Speaker, Representative Zalaski explained that they were approached by the YMCA and the YMCA gave them a brief case why an organization like them should be exempt because it would cost them somewhere in the range of \$800,000 a year.

Through you, Mr. Speaker. Am I correct, Representative Zalaski?

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st): Through you, Mr.

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Speaker. I don't remember any money being mentioned at all. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Adinolfi.

REP. ADINOLFI (103rd):

Through you, Mr. Speaker. But, they did approach us?

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

They didn't approach me personally. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Adinolfi.

REP. ADINOLFI (103rd):

What I'd like to do, Mr. Speaker, is I did some research while some of my colleagues were speaking here, and I looked up the definition of a 501c3, and it says that a 501c3 shall not interfere or lobby for legislation, and then it further gives a -- further gives an explanation of what legislation is, and it tells you it cannot legislate Congress, the United States Senate, or state legislators for any legislation. It's right here, and I'm concerned.

Did we by talking to them violate the law and put them in a position where they could lose their

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501c3 classification? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I wouldn't have an answer to that. I'm not a lawyer.

DEPUTY SPEAKER RYAN:

Representative Adinolfi.

REP. ADINOLFI (103rd):

Mr. Speaker, I'd like an answer. How can I get one?

DEPUTY SPEAKER RYAN:

I'm sorry, sir?

REP. ADINOLFI (103rd):

Through you, Mr. Speaker, I would like an answer to my question, and is there a lawyer here that can answer that question?

DEPUTY SPEAKER RYAN:

Could we just stand at ease for a second?

REP. ADINOLFI (103rd):

Thank you.

(Chamber at ease.)

DEPUTY SPEAKER RYAN:

The Chamber will come back to order.

Representative, it's been pointed out to me that we are here to discuss the bill. I know this is contained within the bill, but it isn't the purpose of the bill, so -- and at this point in time, there's no one you can actually direct that question to. We'd ask you to move to another subject matter, if you would

REP. ADINOLFI (103rd):

Thank you, and I'll continue, Mr. Speaker, thank you.

The other question I have is that there are companies, again, that are located out of state that have subsidiaries in Connecticut. Now, the subsidiaries could have less than 50 employees. Would they be -- and say they have four subsidiaries here. That would be a total of 160 employees in four different subsidiaries. Would they have to comply with this legislation? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. If you could describe what a subsidiary is, maybe I --

REP. ADINOLFI (103rd):

Well, the definition of a subsidiary is -- I'd have to start with the owner. The corporation holds most of the stock in the subsidiary, but each of the subsidiaries are individually accountable. They're on their own. They file their own taxes, everything, and so on. Yet, they belong to a corporation since the corporation owns the most stock. So, would they be -- have to comply with this?

DEPUTY SPEAKER RYAN:

Representative Zalaski, does that help you?

REP. ZALASKI (81st):

If they're all paid by the same employer and they have over 50 employees in the state of Connecticut, they are under the bill. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Adinolfi.

REP. ADINOLFI (103rd):

I said four separate subsidiaries. It would be four different subsidiaries. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. And, I said if

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they're all paid by the same employer, then they have -- then they're covered by the bill. Through you, Mr. Speaker.

REP. ADINOLFI (103rd):

Then that --

DEPUTY SPEAKER RYAN:

Representative Adinolfi.

REP. ADINOLFI (103rd):

Through you, Mr. Speaker. Then I would understand if there are four individual subsidiaries, each subsidiary having a different company name is the way it works -- I worked for one of these companies that fell into that category -- then each of those four companies having less than 50 employees, even though they were owned by a large -- the largest stockholder was another corporation, they would not have to comply with this law. Am I correct? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. It sounds like you're correct, but as I've stated before, I'm not a lawyer, and any time -- if they all have under 50 employees, then maybe they're not in the bill. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Adinolfi.

REP. ADINOLFI (103rd):

Thank you, Mr. Speaker. Thank you,  
Representative Zalaski.

I -- Mr. Speaker, reading through this bill, I think there are a lot of areas that should be corrected. When I say it's discriminatory, as an example, maybe I'll just ask one more question through you.

Where we speak of a non-profit organization that is nationally chartered, are there any other organizations within the state that fall into that category besides the YMCA?

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Well, to fall under this definition, you also have to meet the three criteria that are under that section. Through you, Mr. Speaker. Health care, recreation and education.

DEPUTY SPEAKER RYAN:

Representative Adinolfi.

REP. ADINOLFI (103rd):

Thank you. Through you, Mr. Speaker. To continue on, as I read through this bill and I

looked at it, with all the exemptions we have on it, in it, it seems I was just trying to get something through that's not complete. I don't agree with the overall bill and what we're trying to do because I think it's bad for business, and in the state of Connecticut we'll lose a lot of business when we can't -- as an example, one of the companies I mentioned who has their corporation out of state but might have a facility here with 60 people, well, if I owned that company, I would pull those 60 people right out of here and bring them somewhere else, and I'm sure that any good businessman would do the same.

So, I find that the bill itself discriminates because it leaves -- it doesn't include everyone. Even though I don't agree with the bill, I think if we're going to do it and it's going to pass, it should include everyone.

So, Mr. Speaker, I don't have anything else to say except I will not support this. I think it's discriminatory. I think it goes against the will of the people in the state of Connecticut and all of the people that appeared at the public hearings, and it's just one side, one-sided, and it's not going to work, and it's going to cost Connecticut a lot of business.

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Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Sampson of the 80th.

REP. SAMPSON (80th):

Good evening, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Good evening, sir.

REP. SAMPSON (80th):

This is going to be my third shot, I think, speaking about paid sick leave. I had the opportunity to speak on the underlying bill both in the Appropriations Committee and also in the Judiciary Committee.

It's a controversial bill, no doubt, but that - - I don't think that should shock anyone. We seem to pass a lot of legislation through this Chamber that is very similar in nature. I'm sorry to say that the role of this body has in many ways become that of one that often takes from one group and gives to another, redistributes wealth and picks winners and losers as we are so apt to say.

The difference really is that we normally do this through taxation. In this particular case, we are just cutting out the middle man. We're not going to take somebody's income via taxes and then

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

Representative Sampson of the 80th.

REP. SAMPSON (80th):

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DEPUTY SPEAKER RYAN:

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REP. SAMPSON (80th):

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The difference really is that we normally do this through taxation. In this particular case, we are just cutting out the middle man. We're not going to take somebody's income via taxes and then

give it to someone else via some type of entitlement program or something. We are going to just demand that one person gives their wealth to another, and I'm talking about employers and employees.

It's just this kind of thing that helps to further encourage this us versus them kind of attitude that I keep seeing from many of the -- I won't say -- how about advocates of this bill. I suppose that's the best way to put it. I don't want to be unfair in that regard because I'm certain that almost anyone could come up with that kind of attitude on their own, but that's -- that's kind of the way this is portrayed in sort of it's the employers versus the employees, and we need the big bully of government to come along and help us get what we deserve.

I don't think it needs to be that way. Employees and employers should be working together towards common goals and for their mutual benefit and success. I know from my own experience. I've worked as an employee; I've worked as an employer; and, in both regards, when I was an employee, I know that I worked hard at my job because I knew that the business that I worked for needed to succeed in order for me to get further in my career so that I could earn more and be more successful, and as an

employer, I tried to instill that in my employees, and I knew that I needed to treat my employees fairly so that they would work hard and want to help our business succeed.

When the government steps in and starts to disrupt this natural agreement between an employer and an employee, it's bound to have an effect on the marketplace. Of course, you know, we do need to have protections for employees, and some will say that that's what this bill is, it's nothing more than protections for employees. But, we're not talking about a ten-year-old going down in a coal mine in the 1840's. This is far from that. In fact, from some of the earlier conversation that I listened to, it sounds to me like the only people who need to be protected are the employers. We are going to, from what I gather, perpetrate an experiment on businesses that have over 50 employees to see how it goes.

We need to think what this is going to do to business in Connecticut, and I don't mean just the immediate impact, which is essentially demanding that all of the employees that fit into this category get a two percent raise. I get that math based on the fact that there's 52 weeks in the year and essentially you get a week's pay out of it, so

it works out to about two percent.

And, the reason why I say that is because I think employers could easily find a way to make up that two percent. They could just as easily turn around and say, "Well, the government demanded I give you a two percent raise; well, I'll give you a two percent pay reduction at the same time or find some other way to make it up."

It's about the message that we're sending. You know, there's the immediate impact message that we're going to put this bill through and have an impact on employers, but there's the larger message that we're sending, which is that the Legislature can and will based on their desire affect the ability of a business to succeed pretty much at their whim.

Many businesses plan their future success well in advance, certainly years, maybe even a decade in some cases for larger corporations. I don't think that it would be fair to them to leave them with the impression that we can and will change the rules of the game on them at any time. I think this is the wrong message to send.

Should the government be able to do this at all? I don't think so. Maybe that's why I'm so passionately opposed to this bill. It is a

recurring theme here, I know, and I guess that I can't get over the fact that this body feels that it's totally appropriate and within their authority to insert themselves between an agreement between an employer and an employee, I just can't. For the life of me, I can't imagine how we could be so shockingly arrogant to think that there's nothing wrong with that.

We're talking about wages and benefits here. We're not talking about protecting people. We're talking about wages and benefits. This is what I get paid and what benefits I receive. I mean there's no more basic agreement between an employer and an employee, and if we do this, where does it end? Are we going to start dictating how much CEO's make? Are we going to start dictating what each job is worth?

There's an old maxim that says you cannot help the wage earner by bringing down the wage payer. It's often attributed to Abraham Lincoln, which is not the case, but it's still true. I think that the economic problems we face as a country and a state are largely because we have not heeded this advice, and this bill is just more of the same.

I just have one final thought I want to wrap up with. This is clearly a philosophical battle, and I

guess I stand on the side that has faith in every individual to be able to achieve without the assistance of the state. And, whenever a bill comes before me in this chamber, the very first test that I give it is does it affect any individual's freedoms.

Now, of course, this bill absolutely does. There's no question it affects the freedoms of the employers, but I want to let everyone here be very clear that it affects the freedoms of the employee just as much.

Essentially, as an employee, yes, you're going to get the benefit of this paid sick leave, but you're also giving up your right to negotiate that with your employer, and every time you give up your ability to negotiate, you're giving up a little slice of your freedom. So, I don't think this bill gains you anything as an employee. I think that if you were valuable enough to keep after this law goes into effect, I think your employer would have given you paid sick leave if you went to him and negotiated it. There is basically no difference.

I urge my colleagues on both sides of the aisle to think hard about freedom and what that means and what our role as government should be when we're talking about employees and employers. Please vote

no.

Thank you very much, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Representative Kupchick of the 132nd.

REP. KUPCHICK (132nd):

Thank you, Mr. Speaker. A few questions to the proponent of the bill, if I may.

DEPUTY SPEAKER RYAN:

Please proceed, ma'am.

REP. KUPCHICK (132nd):

Thank you, sir. Is it correct that manufacturers are exempt from this mandate? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Yes.

DEPUTY SPEAKER RYAN:

Representative Kupchick.

REP. KUPCHICK (132nd):

Thank you, Mr. Speaker. Through you, so if they are -- if they're exempt from the mandate, if they have a cafeteria in their -- if it's a big place, and they have a cafeteria with cafeteria

workers, would those cafeteria workers be paid sick time or would they not? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. It depends on whether they're paid by the same company or not. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Kupchick.

REP. KUPCHICK (132nd):

Thank you, Mr. Speaker. So, if they were from a private -- if they weren't employees of that manufacturer but someone that came in and provided a service, they wouldn't be under that manufacturer? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. That is correct.

DEPUTY SPEAKER RYAN:

Representative Kupchick.

REP. KUPCHICK (132nd):

I appreciate the answer. Thank you, Mr. Speaker.

I have another question. In the bill, in this amendment, on the first page, lines 5 through 9, it says, "A child means a biological, adopted or foster child, stepchild, legal ward, or service worker or child of a service worker standing in loco parentis."

So, my question through you, Mr. Speaker, if I am watching my sister's child for a week, she's away, and my niece or nephew gets ill, and I have to take the day off to take care of the child, would I then be in loco parentis? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I'm not a lawyer. I think you would have to ask a lawyer that question.

DEPUTY SPEAKER RYAN:

Representative Kupchick.

REP. KUPCHICK (132nd):

Okay. Okay. And then in the next part, lines 8 through 9, it says under ages 18 or -- years of 18 age and then 18 years of age or older is incapable of self care because of a mental or physical disability, so through you, Mr. Speaker, if my son who is over the age of 18 breaks his ankle and needs me to stay home to take care of him, would I be

covered under this section in the law? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. It depends on how long the disability is for.

DEPUTY SPEAKER RYAN:

Representative Kupchick.

REP. KUPCHICK (132nd):

To clarify, though you, Mr. Speaker, what I meant was because of the physical disability, I didn't know if the law meant a long-term or permanent physical disability or if it could also mean a temporary physical disability.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

I feel it would be a long-term physical disability. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Kupchick.

REP. KUPCHICK (132nd):

Thank you for the answer. On page 4 of the bill -- of the amendment, sections -- Section 2, line 98, if you were a waitress -- through you, Mr.

Speaker -- if you were a waitress working at a restaurant or a bar and you are sick and you used one of your -- you worked Tuesday nights, and you take Tuesday night as your sick night, you're sick, so you call up and say you're sick. Then the following week one of your coworkers asks if you would cover them because they want to go to a baseball game, and you do cover them. Would you then be -- would you then lose your sick day pay because under this section, it says, "Each worker shall be entitled to carry up to over 40 unused accrued hours," but then it goes on, "but no service worker shall be entitled to use more than the maximum number of accrued hours as described in that section."

So, it's a little confusing if -- if you lose your sick day because you used it last week but then filled in the prior week for someone else. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. It sounded like you already took your sick day, so you already got paid for it, so switching is for the other employee, not

for you.

DEPUTY SPEAKER RYAN:

Representative Kupchick.

REP. KUPCHICK (132nd):

Right. But, when you read it, it seems like you would then lose like maybe the following week, you wouldn't get one that you would use the following week, say, if you really needed it again. Through you, Mr. Speaker, just based on the language.

DEPUTY SPEAKER RYAN: Representative Zalaski.

REP. ZALASKI (81st):

If you have another one coming, you could take it the next week. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Kupchick.

REP. KUPCHICK (132nd):

Thank you, Mr. Speaker. Through you, Mr. Speaker, so if you -- if a manufacturing company -- so if you're a worker, through you, Mr. Speaker, if you're a worker who works in the front office for 2012 and you accrue sick time, five days, and you only used two, so you only have three left, and then you were transferred to the floor not in the front office, so you're transferred to the manufacturing floor where you don't get the sick pay, do you still

get to keep that sick pay from when you accrued it as a front office person, or do you have to then lose it? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

So, you're saying somebody moved from an office into the manufacturing area. If you're already qualified, you get the sick days for that year. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Kupchick.

REP. KUPCHICK (132nd):

Thank you, Mr. Speaker. I appreciate the answers from Representative Zalinski.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. KUPCHICK (132nd):

Zalaski. I'm sorry, sir. I went to school with a Zalinski, so I don't know. It's through my head. Representative Noujaim said you pronounced his name wrong, so -- just kidding.

I just wanted to make some comments. You know, last week or this week, it feels like this week is two weeks long, but we passed a bill about live here, work here, learn here, live here, helping

young people, encouraging them to stay in Connecticut and helping them buy a home, but I have to tell you, you know, I just feel like Connecticut is just not going to be a place for any young people who want to buy a home because they're simply not going to have a job to be able to pay for that home.

We all know, we've heard what a lot of people say, you know, Connecticut's last place for business, businesses are running out of Connecticut, nobody wants to be in Connecticut, and it's -- I guess it almost becomes like a cliché. People just don't really think about it, but we do watch the news, and we do see that businesses are leaving, and with them, they take jobs.

So, when we talk about businesses, I think people kind of think of this building, you know, a building, it's a business, it's not a person, it's not a family that runs it, and it's not the people who work there, and who really like working there, but they look at it like some detached thing, and I don't look at it like that. Obviously, I've mentioned before in this chamber that I am a small business owner. My husband and I run a small heating and air conditioning business, and I have to tell you, my husband is probably the hardest person -- hardest working person that I know in my entire

life. He just -- he just works so hard, and he doesn't get sick days, and I was thinking about this bill when I read through it this week.

In February, my husband's right arm blew up, and I rushed him to emergency. It was a Friday night after he got home from work, and we were there all weekend, in and out, when they finally found out that he had a blood clot under his collar bone, and it was caused from physical labor, just from physical labor. So, the doctors -- you know, after we got out, the doctor said, you know, you have to take it easy for a couple of weeks, so, you know, we both look at each other and we say, "A couple of weeks," you know, okay.

So, luckily and maybe not so luckily, we -- we had a slow month in February, so he was able to rest, and he's on medicine, but after a couple of weeks, you know, even though his arm wasn't completely better, he had to go back to work, you know. We have to pay our mortgage, and we are a small business, and we don't have anybody to give us a sick day, so he went back to work, and I was really worried about him, calling him from here, you know, how's your arm, are you okay, you know, don't do too much, try to, you know, try to be careful, use your other arm.

My point being is I grew up in a family -- I come from a family of small business owners, people who work for themselves. My father grew up in a family of fifteen children, and all of them work for themselves, work for the family business, or went off on their own and did their own thing, and it's not that I'm heartless and, you know, I kind of think that when you talk to the average every-day person or your friends and you say we're debating this bill called Sick Pay, and they go, "Well, what does that mean," and you say, "Well, offering sick pay to part-time workers or" -- and they say, "Well, that's okay to give somebody sick pay," but then they don't really understand the complications and how that hurts a small business, and especially for part-time workers, but then when you say to people, "Well, what they mean is they want to give sick pay to waitresses and bartenders, bus boys, dish washers," and they go, "Well, nobody -- nobody in that service industry gets that." And, then they want to know a little bit more about it.

When I was a young person before I got married, and even when I was first married, I waitressed and bartended because I wanted to be home with my son when he was a small child, and I didn't want to put him in a day care. So, I made a choice to work in

that service industry because it allowed me to have the opportunity for my husband to watch our child at night and so that I could be with him during the day.

I knew full well working in that kind of industry that there were no benefits. They didn't offer benefits. They did offer cash tips, which was very attractive, and I liked that, but, you know, when you got sick, if you did get sick, you know, you call up another bartender and say, "Can you cover my shift; I'll cover you next week," and, you know, it works out. Or, if your child gets sick, you call your mother or your mother-in-law, and they watch the child. That's that kind of business. It's flexible; you don't have to work all the time; and, it's a fairly good job for that kind of business.

I just -- I just don't really understand. Even if we want to try to be fair to people, why we would do this in an economic time like this. I mean, we're all looking at the papers, and you don't have to be a Republican or a Democrat. You know what's going on here in Connecticut; you see it. I mean, my 26-year-old son doesn't live in Connecticut. He lives in Florida because there's not really that many jobs in Connecticut. It's -- it's just a

better place to be for young people. There's jobs, no income tax. There's less tax on a lot of things. No car tax.

You know, I was looking at statistics, and 84 percent of people who worked in the service businesses never really thought that they needed sick time or wanted sick time. Sixty-nine percent of Connecticut employers already offer paid sick leave, 69 percent, so basically, we're going to put a mandate on small businesses of 50 or more, and then in a year or two, we're going to bring it down to 25, and then maybe even adding the YMCA's and some other companies, and then there's not going to be really anyone left in Connecticut.

I really hope that people think long and hard because I have -- you know, not just being a small business owner, but I have a philosophy, a deep belief and a deep philosophy that you are entitled -- you are in charge of your own destiny; you need to take care of yourself.

My husband and I worked hard to build a business. We didn't ask anyone to help us. We never asked anyone to give us anything. We did it ourselves. We built it ourselves, and we're proud of it, we're proud of it, and we're proud of the people who work for us that help us build our

company. We don't want anything from anyone; we want to take care of ourselves. And, to me, that is -- that is what this -- what the American dream is. It's what all of us strive to be: independent and self-reliant.

I don't feel like we can legislate every single thing. Every single thing, it feels like this Legislature wants to have its finger on. You know, as a small business owner, when you're doing your taxes or you're going through the new regulations, I mean, you have to have a bottle of Tylenol on the table because, like you were saying, even if you are a lawyer, I don't think you could figure out half of the new stuff that's imposed on a business every single year by the federal and state government and local government. It's endless. I mean, you can barely run your business. Then you have to go through all this stuff and figure out what do I have to do now, or what's this, what does it even mean.

I really hope that we could try to pass some bills that actually would promote business, that would encourage business, because once again, once again, a business is not a building, it's not a steel structure. It is people, people who run that business and work really hard, and offer people an opportunity to work really hard, too. That's what a

business is.

A business is not the bad guy. A business it's me, it's people, people in your neighborhood, your family, your friends. So, I really hope that we could at least take some time to consider what the impact of this is going to have on those people  
Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Will you remark further? Will you remark on the amendment before us, please. Remark on the amendment before us.  
Representative Alberts of the 50th.

REPRESENTATIVE ALBERTS (50th):

Thank you, Mr. Speaker. Good evening. I will be remarking on the amendment. On lines 18 through 22, I have some questions as it pertains to the determination of how -- which individuals may qualify for this benefit  
Through you, Mr. Speaker, as I understand it, we're looking for any firm that employs 50 or more individuals in the state in any one quarter, and I thought in the first quarter of 2011, if a company employed 60 people, in the second quarter employed 50 people, and the third quarter it dropped down to 30 people, and the final and fourth quarter it dropped down to 20 people, would that entity quality

or have to provide these benefits? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Good evening. Through you, Mr. Speaker. Yes.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. Lines 116 through 119 address the use of accrued paid sick leave, and as I understand it, if the employee didn't work an average of ten or more hours a week for the employer in the most recent completed calendar quarter, those hours would not have to be provided or the sick time would not have to be provided. Is that not correct?

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Yes, that's correct.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. I've worked for companies in the past, and I'm thinking of the fast-food restaurant in particular that had the option of

hiring employees and changing hours regularly.

Would it be illegal if an employer looked to reduce the hours of its employees to reduce its risk or exposure to ensure that as few employees as possible qualified for these sick days? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. No, it's not.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker, and I know we've had a lot of discussion tonight on what constitutes a business and what doesn't, but I just wanted to clarify one thing.

Many restaurants, particularly franchises, are multi-unit franchises, particularly MacDonal'd's, Dunkin' Donuts. Some of the largest franchises have 50 or more employees. If an individual had an ownership interest in 15 or 16 different franchises, each of which were owned by a separate LLC, so they're a separate business entity, and each of those business entities had fewer than 50 employees, as I understand it, they would not be eligible for

the provisions in this amendment. Is that not correct? Through you, Mr. Speaker.

REP. ZALASKI (81st):

Through you, Mr. Speaker --

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Great evening tonight. Correct.

DEPUTY SPEAKER RYAN: Representative  
Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. Going a little further in the bill, lines 156 and 157 contemplate being able to use the sick days for relocation activities due to family violence or sexual assault, and I applaud the inclusion of these provisions. I think they're very worthy, but just to clarify that these -- this potential relocation if someone were to avail themselves of this, they would still be an employee of the company at the time that they relocated. Is that not correct? Through you, Mr. Speaker. This isn't something that would happen, you know, after the end of their employment? Through you?

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I would say that is correct.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker, and I appreciate the clarification.

Lines 206 through 213 address termination of a service worker's employment, and in terms of a break in service, and I just wanted to clarify this further. What types of events does the proponent believe might typically constitute a break in service that is illustrated here? Through you, Mr. Speaker.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Thank you, Mr. Speaker. Good evening. A break in services, whether it's voluntary or involuntary, I would say a voluntary is they quit or an involuntary is they're fired. They could also be laid off. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. Would someone who is serving in the National Guard of Connecticut, Army National Guard or Air National Guard, who gets deployed overseas, would that be -- you know, would that constitute a break in service? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I would personally say that I think it does, but I would hope no employer would ever do that to a member of the armed services. I would personally call them and go outside and picket outside their house if they did. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Through you, Mr. Speaker. I don't know that I want to comment on the picketing outside the house, but I would think that perhaps if there is an issue here, that perhaps this could be addressed in the future and it could be expanded to provide some

protection to our service members who are serving us.

I had the opportunity during the lengthy debate so far to talk to some folks and to review some of the testimony on the bill, and particularly the amendment that's before us, and one of the folks that I talked to wanted to bring something to my attention, and I wasn't sure if the proponent had researched this or not.

This firm is a Connecticut-based utility company, a water company, and their concern was that there appear to be some inconsistencies in the amendment in terms of the sick leave provisions and the provisions under the Family and Medical Leave Act, and I wasn't sure if the proponent in helping to put together this amendment had researched the Family and Medical Leave Act closely or if that was consulted, and if you could inquire as to that, Mr. Speaker, I would appreciate it.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. We felt there was a difference between paid and unpaid. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. So for the record, the qualifying events under the Family and Medical Leave Act for short-term disability and the provisions in this amendment that are before us are different in some cases, and they just wanted to be on record as saying this may create a duplicative tracking system, and I just wanted to make sure that the proponent was aware of that. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Yes, and thank you for reminding me. I appreciate it. Thank you. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. And, one other thing that the utility brought to my attention was that they have a very generous vacation plan which seems to meet on the surface the sick days requirements; however, some of the criteria that they have in their vacation plan in terms of the accrual process doesn't match up.

If they have plenty of vacation days and they have the flexibility or the employees have the flexibility to use those vacation days, but the accrual of those vacation days doesn't match up here, would that be a problem? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you. No. This is a base line for the sick days. If the companies provide better benefits quicker, then that is very good. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Alberts.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. And, I do thank the gentleman for his responses. You know, this is -- this bill has been before us many times in the past, this amendment has before us, and I just feel obliged to bring to the attention of the Chamber what I'm hearing as I go about and meet with small business owners throughout the state in my capacity as a bank officer or in my capacity as a State Representative, and one of the things that's a consistent theme is that many of our businesses are

being shopped. They're being shopped to relocate outside of the state by other states, and one particular employer in Eastford, a 400-employee business, probably the largest private business in my District, has essentially, you know, reiterated to me that at least once a month they receive some type of materials from other states that are looking to entice folks to move to their -- their state. In most cases, these states are in the southern part of the country, in the Carolinas or in the Virginias, and, you know, I think it would be a shame if we lose those people and we lose that talent, and my concern is that as much as I empathize with the issue and I would love to support a policy like this on a given -- on another day when we actually had the wherewithal to support it, today is not the day, so I do regret that I will be voting against the amendment.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, sir. Representative Srinivasan of the  
31st.

REP. SRINIVASAN (31st):

Good evening, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Good evening.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker, to the proponent of the amendment which is currently the bill. Thank you, Mr. Speaker.

DÉPUTY SPEAKER RYAN:

Well, right now, it is not yet the bill because we haven't passed the amendment.

REP. SRINIVASAN (31st):

Right. Correct.

DEPUTY SPEAKER RYAN:

Representative Zalaski. Prepare yourself.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker. We have chosen 50 employees as our area to be working on. Could you give me some insight, if possible, through you, Mr. Speaker, how we arrived at 50 as opposed to 48 or 52? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I guess we arrived at 50 instead of 52 because it's just a nice, plain half of 100, I think. Through you, Mr. Speaker.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker, why not 48?

DEPUTY SPEAKER RYAN:

Representative Srinivasan, you directed your question to Representative Zalaski.

REP. ZALASKI (81st):

Thank you, Mr. Speaker, and I think as we look at the flag, it makes me think of 50 and not 48.

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Here once again through you, Mr. Speaker, we're thinking winners and choosers, and that is one of the things that bothers me because initially when I heard about this -- and this has been talked around for quite some time -- I was very excited about this bill. I was thinking of it that, you know, this is going to take care of people who are in the service industry, the people that are at our wait staff at the various restaurants and everything else, which is the right direction to go.

I was excited about it, and come to hear that we have suddenly picked 50 because we have 50 states is extremely disturbing because as has been said by previous speakers many, many times over, most of these restaurants and especially the ones in Glastonbury where I come from, most of them are

under 50 employees to begin with, and so none of this in terms of the service industry would impact them, and that to me, Mr. Speaker, is the very disturbing part of this amendment. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

(Inaudible.)

REP. SRINIVASAN (31st):

Yes. Thank you, Mr. Speaker. We have excluded other employees other than those who are in the service industry. Once again, just like we picked 50 because 50 sounded good, 50 sounded like a flat, even number, is that the reason why we chose only the employees of the service industry as opposed to all employees regardless of what industry they served in? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I spoke of why we took manufacturing out because manufacturing is competing with the rest of the world. As I alluded to earlier in the day, my factory had threatened to move us to Mexico, so those are the type of things

manufacturing has to handle and so we decided to leave them out of the bill. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker. Am I to understand moving out of this country is a reason not to give these benefits to certain employees, even those who have children, even those who have children who are sick, because since they work in the manufacturing world, they are not going to be entitled to this, but if I am in a service industry, I'm entitled to get this? Is that -- through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Now that I hear how passionate you are about this, I'd be glad to work with you next year on trying to make some adjustments to this. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker. When you look at the people who are eligible for reasons to regress the

spectacle of sick leave, if somebody is taking care of their aged parents and they're responsible for their care, would that employee qualify to use this time to take care of an aged parent who has suddenly fallen ill? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. No.

DEPUTY SPEAKER RYAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker. A couple living together -- and you know where that happens here -- a child is sick of a couple living together, the child is not the responsibility, the legal responsibility of obviously one of the couple living together, if that person is capable of taking care of the child because that option does not exist with the other member because he happens to be working in a manufacturing industry and the job could be lost from the United States to another country, so we have decided not to give to one person of that couple living together, the other person is entitled, but the child is not theirs legally, is not hers legally, could she then request time off

legally to take care of the child who has fallen ill? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

I think the bill is clear they have to be a spouse. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker. Through you, Mr. Speaker. A child can fall ill, unfortunately, more than five days in a year. If that happens to a child, what happens to requesting the leave? Will it be capped at five as it says now, or are they going to look more at the medical entity that this child needs more time and the employer has been mandated to give more time off to the employee as well, or are we going to say that's it, five is all you get and nothing more? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Well, that's why I'm so proud that we have passed unpaid family medical leave so people can take care of their families, and

thank you for that. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker. We're talking about five days only, though. The child unfortunately is sick on more than five days in a year. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. You're right. It is five days pay. The rest are unpaid when you go into unpaid family medical leave. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker. Through you, Mr. Speaker, and this happens to us in our medical world on a constant basis. A physician gives recommendations and could be in a case for me as an allergist giving recommendations to the family. The family, however, does not heed to those recommendations. The dog is still in the environment; the cat is still in the environment;

tobacco is still there in that house; the child continues to fall ill in spite of recommendations by the physician not being heeded.

The employee is now asking for time off because the child is sick again. I mean, the employee does not work for the doctor, you know. They work somewhere else, but the care is not given to the child, recommendations are not followed. Can that employee continue to get this time off even though he or she has not been following the instructions of the physician? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I believe so.

DEPUTY SPEAKER RYAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Through you, Mr. Speaker. As it happens quite often, you know, the employee has gone into work, friends of the children are at home, and one other child falls ill, does not -- is not the child of the -- where the child has come to play. The mother gets a call, saying that in the house there is a child that is not doing well. The mother then comes up to the employer and says I'm going to take off

because I have five days that I have that I'm legally allowed, but it's not her child. The child happens to be in her home. Will she be able or he be able to qualify for this? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Would you mind repeating that or rephrasing it or something? Thank you.

DEPUTY SPEAKER RYAN:

Representative.

REP. SRINIVASAN (31st):

It will be my privilege. Definitely, sir.

Children have come to a home to play for the summer. These are neighborhood kids that have come to the house, and they're playing in the home. The parents are at work, and one other child who has come to the home -- you know, there are 14, 15, 16, at that age, falls ill. Nothing serious, nothing dramatic, no 911, no emergency room, but is not feeling well. The mother gets a call at work saying somebody at home is not feeling well. The child who is not feeling well is not her own, but can the Mom then go up to her employer and say I need -- I have five days off, I haven't taken any, and can I

qualify and get that paid sick leave? Through you,  
Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Thank you, Mr. Speaker, and I really appreciate the  
way you put that because that is why the bill is  
here. Yes. Thank you.

REP. SRINIVASAN (31st):

So even -- through you, Mr. Speaker -- the  
child is legally not hers --

DEPUTY SPEAKER RYAN:

Srinivasan, yes, Representative Srinivasan.

REP. SRINIVASAN (31st):

Sorry. Thank you, Mr. Speaker. I just want to  
make sure in my mind the child is not theirs  
legally, but the Mom can still qualify to get the  
paid leave. I just want to be sure about that.  
Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Let me see if I could get  
this straight. A mother gets a call at work,  
telling her that her child is sick?

REP. SRINIVASAN (31st):

No.

REP. ZALASKI (81st):

Somebody else's child is sick. No, not covered under the bill. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Srinivasan

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker, and one final question for the proponent of the amendment. An employee, one employee overhears a conversation between two employees saying tomorrow in the office looks like a very busy day, and I'm just going to call in sick. This is a conversation that is overheard, and I'm giving real life examples that -- the employee then comes up and tells the boss this is the conversation I happened to overhear, nothing is done, and sure enough, the next morning, this employee calls in saying I'm not feeling well, I am sick.

Is the employer still -- has no other recourse, no other option but to grant her that paid sick leave?

Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. At any time an

employer may refuse to give an employee a sick day, but there is an appeal process for that employee. And, if I was the employer, I'm not sure I would take a secondhand -- how do I know that that employee didn't dislike that woman and, you know, so I'm not sure that I would under your circumstance believe another employee unless maybe if I heard it myself. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Srinivasan.

REP. SRINIVASAN (31st):

Thank you, Mr. Speaker. I do appreciate the kind gentleman's answers. Thank you.

DEPUTY SPEAKER RYAN:

Thank you, sir. Representative Lavielle of the 143rd.

REP. LAVIELLE (143rd):

Thank you very much, Mr. Speaker. Good evening.

During this session, we've had two major priorities. One was putting Connecticut's finances back together, and the other is jobs, and the second priority, jobs, is so important that on the first page of the Governor's budget summary, it says, "This budget reflects Governor Malloy's top priority, jobs." It's all about jobs, and what do

you need for jobs? You need businesses.

And, the problem with this bill is it doesn't help businesses. We've had 250 of them come and testify and tell us this. We talk to them all the time. You've heard a lot about it tonight, but it raises their costs, it adds to their piles of paperwork, and it interferes with the human relations between employers and employees. It hurts businesses, and something that hurts businesses hurts people, and I believe, unfortunately, that people are what the bill is seeking to protect.

Now, we're talking service businesses here, and I ran one for several years, and there is one great big truth about service businesses: Your assets go home to sleep at night. That's what you've got, and this bill flies in the face of what you have to do to protect those assets. In fact, it harks back to some antediluvian concept of employer-employee relations where the employer is the bad guy, the boss is the bad guy, he's out to get the employee.

In fact, when your only assets go home to sleep at night, you know if you're going to succeed that you have to treat them with respect and with dignity. You have to treat them with decency. If you don't, your assets wear out, and you lose them, and you know what? You can't legislate decency or

respect. If it's not this, it will be something else. It's that simple.

I just want to make one other point.

Businesses that have come in here all during this session and businesses I see in my District and even in other Districts tell me time and time again what they really care about is consistency, predictability, and a competitive economic environment. Other states we know are offering a consistent tax policy; they stop putting mandates on work places; they've made permitting easier; they've done all sorts of things like this, but what are we doing? Well, we had a 10 percent corporate surcharge, then we had no surcharge; no, we're not going to do that; we're going to have a 20 percent surcharge. We were going to do the captive audience thing and, okay, we're not going to do that now, but they weren't sure. Now it's in; now it's not. And, now we've got paid sick leave, and guess what? We're going to be the first state in the country to do this. We're so different that we're going to legislate something that's going to make it more difficult for businesses than it is anywhere else.

And, what kind of message does that send? You know, what really is this General Assembly thinking? And, I'll tell you: Businesses have told us time

and time again they want a place they can count on; they want Connecticut to be a place they can count on; but, we're not going to give them that. We're going to give them high-stakes gambling, and that's exactly what they think they're facing here, and that's exactly what this bill reinforces.

And, for that reason, I can't support it.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Representative Sawyer of the 55th.

REP. SAWYER (55th):

Good evening, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Good evening.

REP. SAWYER (55th):

This bill has been debated for quite a while, and I would like to step back from the debate on the bill to say I think two or one of us, those of us who got elected, when we were out campaigning, said we were going to make this session about jobs. I think two or one.

Now, if we describe about this bill, is it about jobs? Is it about creating jobs? Is it about putting people back to work? The answer's no; the answer's no.

There are other states out there, and what are they doing? They're making headlines by breaking down the barriers to creating the tough things that cause problems when you go to create jobs. They're out there, breaking down those barriers, and they're in the national publications. Connecticut's not. We're not creating new jobs. We're not breaking down the barriers. We are erecting more barriers. We're saying to the job providers, "We're not making it any easier for you."

So, what do we have in our pocket? We have the guilt. We have the guilt because we've heard of the small companies who are worried that we'll change this soon. A great deal of those companies have below 50 employees. We have the guilt, as we should, because I've the company that has 59 employees say, "If this goes through, I'm letting ten go." There's ten families that feed their kids and have to pay the mortgage and have to pay the electric bill, and they add to the unemployment because they want to drop below the 50.

Ladies and gentlemen, that's guilt that I feel if this passes. We're a Legislature that had I thought a common goal when we got started in January because we had a Governor who said Connecticut is open for business. That sure did sound like a

common goal. It went along with our campaign promises without creating jobs, and this puts that big cobblestone in the way, but it's built on top of the other ones that we've done this year. It's the wrong direction, and (inaudible) because I support job providers, people who want to provide jobs.

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Thank you, Representative. Representative D'Amelio of the 71st.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Before you begin, sir, I just want to remind my colleagues to confine their comments to the amendment that's before us. That would be very helpful. Thank you.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker, and good evening to you.

Mr. Speaker, a couple of questions through you to the proponent of the amendment.

DEPUTY SPEAKER RYAN:

Please proceed, sir.

REP. D'AMELIO (71st):

Through you, Mr. Speaker. Representative, I

know we touched on this carrying over sick time from one year to the next if they're not used up in that calendar year. What happens after like a second year if they don't use up that sick time? Is it something that can be brought over into the third year and the fourth year? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Thank you, Mr. Speaker, and thank you for that question because I'd like to make sure we keep that clear, that you never could carry over more than five days ever. And, as a matter of fact, I would like to say that from the study that we got from the -- I keep referring to the San Francisco model because we got a lot of information from them. As a matter of fact, less than three days are ever used on average throughout the city of San Francisco, so most people don't use all of their sick days in San Francisco. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative D'Amelio.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker. Just so I get it right, if they don't use up their sick days in calendar year 2012, if that's the year they

accumulated it, they can't carry that over to 2013.

Is that correct? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. No. They can carry only up to five days if they had not used them the previous year. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative D'Amelio.

REP. D'AMELIO (71st):

Okay. Thank you. So those five days, they couldn't -- could they accumulate five more days and, you know, as my example stated, 2013; could they carry like ten days into 2014? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. It doesn't matter how many days they carry into the next year. They never could use more than five. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative D'Amelio.

REP. D'AMELIO (71st):

Okay. I got it now, Mr. Speaker. Thank you.

Another question through you. I don't think we touched upon like private schools. For example, we have a few Catholic schools in the city of Waterbury, and you can read through the bill. Educators aren't mentioned in here, but all the service workers like custodians and stuff are.

So, if a private school or Catholic school has 50 or more employees, do the workers that are in the school providing those services that are mentioned in the bill, are they covered through this bill? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Education is not in this bill. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative D'Amelio.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker. So, when you say education is not covered, that means entire schools like private schools, no matter if they have cafeteria workers or custodians, they're not going to be covered in this bill? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

The people that work in the cafeteria are covered. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative D'Amelio.

REP. D'AMELIO (71st):

Okay. So then anybody like custodial staff, anybody that's providing services as mentioned in this bill, if they work for a private school or a Catholic school, they will be covered then? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. That's correct.

REP. D'AMELIO (71st):

Okay. Thank you.

DEPUTY SPEAKER RYAN:

Representative D'Amelio

REP. D'AMELIO (71st):

Thank you, Mr. Speaker. I know we talked about restaurant employees, and if they're, you know, able to switch their shift, as long as they are able to

do it within that pay period or the following pay period, the bill allows that. Correct, Mr. Speaker?

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker, and I would say you probably know better about that than I do, being in the business, so yes, they are allowed to do that. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative D'Amelio.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker. And, you're right. I just want to point out to the Chamber that, you know, many of the employees in the restaurant business, especially in front of the house, really don't work for their hourly wage. The minimum wage for a waitress is five sixty-nine an hour. They're there to make money waiting on tables the same as the bartenders, and I have a policy in my place where if somebody is ill or somebody made plans, they just switch with their other -- other employees. Many times I don't even know about it until they walk in.

The one problem that I do have with the bill is that sometimes -- many times if an employee is sick

-- and by the way, ladies and gentlemen, it's against the law for a restaurant employee to go to work sick. We do have health codes in the state of Connecticut, and every community has a health department, and if they walked into your establishment and saw someone sick, that's some serious problems for that owner. I mean, they could even be shut down right at that moment, and I just wanted to bring everybody's attention to that, that it's not too often that you'll find somebody in a restaurant that's really sick.

But, the problem I have with the bill is that it mentions a timetable, either the pay period that they're in or the following pay period. Many times if somebody takes ill on a Saturday night and they had the following Saturday night off, for example, but they really need to have -- to work the following Saturday, which is not their Saturday, to pay their rent, because that's when they make the money, then they're going to be out of luck according to this bill because me as an owner, I'll be forced to pay them that sick day because they're choosing to work three weeks from the day they're sick instead of two weeks.

Am I correct in saying that? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I think if you -- if you worked a deal on one Saturday and then worked the next Saturday, I think you would be covered under the bill. Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative D'Amelio.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker. That's exactly what I'm trying to get at. See, the language in the bill says either the pay period you're in, so let's just say your pay period is Monday through -- Sunday through Saturday, let's say, and you get sick on Saturday. You're able to switch that day for the second pay period, but you can't go any further out, but if the employee makes the arrangement with another employee and they agree to it, can the owner be held responsible if it's the employee's choice to do so? Through you, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. You've already stated that you're not aware of any of the deals

they make now, so I don't think anything is going to change. Through you, Mr. Speaker.

REP. D'AMELIO (71st):

Thank you, Mr. Speaker. You know, I just thought that was important to put that on the record because, you know, many times, you know, most owners or managers just want a body there, and people have plans. They have weddings, and there's a lot of things going on in their life, and it's tough to work every single weekend, but on the same token, they need the money, so they're always switching days here and there, and when you get sick, you can't help but be sick, but they don't want to lose the wages for that day, so whoever is filling in for them will give them the following day, and a lot of times it can't happen within two pay periods, so as long as there's an understanding that as long as the employees agree to it, the employer is not going to be held responsible. So, you know, I get that.

I want to thank the gentleman for his answers. I know it's been a long day for him so far.

You know, ladies and gentlemen, as Representative Cafero said, you know, we get this. People get sick; they can't afford to lose a day's wage, so they go to work sick. It happens all the time. Everybody's trying to make ends meet.

There's no doubt about it.

For most small employers -- or most employers make arrangements for their employees. You know, I'm just one little employer. This bill really doesn't affect me because I don't have 50 employees in my business, but there are many that do, but let me tell you: It hasn't been easy.

You know, 2008 this economy crashed, literally crashed, and as a small business owner, I've been sweating ever since. It is extremely difficult to make ends meet today, and I've got to tell you, this really rips me apart when we're doing stuff in government that intrudes on the private sector, because the majority of the people in here have no idea what the heck is going on out there. You're trying to make ends meet; you're trying to pay your bills. Sometimes you can't even pay your bills, but the one thing I know: You try to hang onto your employees because that's what makes your business go.

So, do I go without a paycheck? Absolutely. Do my employees? Never. That's the reality, and in my business, food cost is constantly going up. Fuel charges, forget about it. Through the roof. Can I raise my prices? If I want to shut my doors, because the public, your customers are only going to

pay so much, so that you have to absorb the increases in your business. That's how the real world has been working for the last two or three years. It hasn't been easy. It hasn't been easy for anyone, you know. I don't care who you talk to; they're finding it very, very difficult to make things work today, but you try your best, you know. You keep working hard.

That's why I don't understand why this bill is before us today. My employees that work for me want their jobs; they need to pay their bills; they need to pay their mortgage. The more burden that's put on me where I can't find any more money to keep my business going, the next step is layoffs.

You know, it's funny because isn't the state of Connecticut in dire straits right now? Aren't we looking to our state employees to take less money? Aren't we looking for concessions? Aren't we looking for cuts to keep our government going?

If we're doing that in government, what makes you think business could afford this at this time? I'm telling you, this is only going to cost people jobs. You think you're helping your constituency by passing legislation like this? You're not. You're sending the wrong message out there. Ask any employer -- employee out there. What would they

rather have, one hour of sick time every 40 hours or a job that they can go to, and I can tell you right now the people that this affects, they're going to have to figure out how much this is going to cost them, and then, unfortunately, it's going to cost X amount of jobs just to cover this, so you might help some people, but you're going to hurt more people.

You know, when I drive into the Capitol and I see the young people holding the signs, "Paid Sick Leave," I've got to tell you how badly that turns my stomach because the majority that are standing out there are young people, and I happen to have two young daughters. One just recently graduated with her Master's degree, and one graduated last year, and you want to know something, ladies and gentlemen? They couldn't even get an interview in the state of Connecticut. One is working in Boston, and one's in Washington. I never thought in a million years that my children wouldn't be living in the state of Connecticut somewhere close to me, and it upsets me to no end to see what we're doing here and what the realities in life are.

You have to stop and ask yourself is this worth it; is this fight worth doing today? I certainly don't think so. I certainly don't think so. For God's sakes, I mean, not even to get an interview

with Master's degrees, and one is in public policy. I mean, it's just -- it's absurd to me at this time that we're doing this to businesses.

Think about this, ladies and gentlemen. Businesses aren't lining their pockets. You know, owners of businesses aren't cruel people. They're not there to punish their employees. They're there to provide them with a job so that they can earn and pay for things for their families, pay their taxes, pay for their children's education, pay for their roof over their head.

If we keep doing this, we're going to have more and more unemployment. I don't know where it ends. You know, we might have thousands of state workers out of a job. They're not going to be able to go to the private sector because there's no jobs there. We have kids coming out of school that can't find a job. They can't even get interviews in the state of Connecticut. I mean, what are we doing here?

You know, it just boggles my mind. You know, when I'm not here, I put in 50 to 60 hours a week, 70 hours a week. Last Saturday night, I don't know what most of you guys were doing, but I worked 18 and a half hours, and do you want to know something? At the end of the week, there wasn't much there, and I'm not complaining because I thank God I'm able to

keep my doors open, but it's tough. It's absolutely tough.

And, you know something? I have employees. I have one full-time employee, and his son got ill. He was at Yale-New Haven for a while. You don't think I took bread out of his pocket, not during that time. I don't need a policy; you don't have to tell me what to do.

Most employers are like that. Most employers are like that. You know, there's a lot of young people that are in my business, a lot of young high school and college kids. They're there for a summer. They're there to earn some extra money. The full-time people are the ones to really take care of. I mean, we take care of the young kids, too, but they understand that they're there just for the summer to help out to give the full-time staff time to go on vacation and enjoy some of the summer with their family. We don't need government to tell us what to do, we really don't.

I mean, ask any of your employers. That's why CBIA, I don't know how many -- I'm not on labor, but, you know, if you read through the bill, I can't tell you how many businesses came out for this one bill. They're all opposed to it. Why? Because it's going to cost jobs. It's going to cost job in

a time where a third are not making any money. Do you understand there's no money out there. Nobody's lining their pockets in this economy.

The state of Connecticut is a perfect example. Like I said, we're laying off people. We're asking for concessions. If it's happening in the public sector, you don't think it's happening in the private sector? Don't kid yourself. Don't kid yourself.

You know, I just was -- I don't know how many people in here are responsible for other people's lives, but I feel like I'm responsible for the people that work for me, that if I can't make it and I go under, they're out of a job, they're out of a job, and, you know, they might be able to find a job somewhere else, but I must be doing something right because I haven't had anyone leave me in the last five years. My employees are happy because we take care of them, and most employers are like that. We don't need legislation to tell us how to operate our businesses, we don't, but I wish you could walk in the shoes of an employer in this economy for one week, for one week, and I'm sure that the majority of you in this House would change your mind quickly.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, sir. Representative Tercyak, you have the floor, sir.

REP. TERCYAK (26th):

Thank you very much, Madam Speaker. A few comments through you.

First, I'd like to thank the proponents of the amendment that will become the bill. It must have been hard making so many changes from our original bill to make the bill even more acceptable and attract more support. Now we're done to the people being affected by this bill are holding service jobs that nobody is going to be moving away to take care of them. We won't be having people commuting in from Nebraska to be our bus drivers; nobody is coming down from Maine to work in the kitchen. These are jobs, and the people who do them are going to do them right here, and the people who do them are going to stay right here.

Employees in general appreciate good jobs, good benefits, good bosses. We actually don't make very many rules for good bosses, other situations like that. This like many things is we deal with a bell curve; we pass laws not for that fat middle where everybody is setting a good example, but for those outliers who are not like my good peers who stood up and talked about how well they run their businesses

and how good they are.

We're not doing this to affect the guy who is nice enough to give his employee time off with pay to take care of his son. We're doing this for the person who says, "You go to see your son when the hospital calls, it's your job," and we know that happens. It really does.

The people who are doing these jobs, they are just like all of us. They're honest. They will not -- they will no more cheat their employers than we will. There's no reason to think they would unless you think the people who go to work every day but don't earn a good living are somehow worse people than the rest of us. I certainly don't think that. They're good people, too. We have an opportunity to help them.

I, too, have received some complaints from business, but honestly, just a fraction of the number versus the people I've heard from, telling me how this would affect their life or how it would have affected their life if it had been available when they needed it, when it was their kid who was sick, when it was their father they had to go home and take care of and drive to the hospital and then hope everything was okay.

Most of the businesses that have complained to

me this doesn't apply to. A local business in New Britain is promising me he's going to move out if we pass this bill. I've never had a job that gives as much time off as he does, and I've been one of those overpaid state employees in the past. He's very generous. They've got vacation time that we should all envy. They have personal time. They have time, time, time, but he hasn't labeled any of it sick time yet, and we're still not going to require him to label it sick time because as long as he's willing to let people use those times that he already gives them to be sick and not just to be on vacation and not just to be whatever is personal that you use a personal day for, he will be that manufacturer, that good businessman here in Connecticut in the city of New Britain, which is the most business-friendly city in the state I might add.

He's already providing much more than the proponents of this bill had ever dreamed of mandating for employers to provide for their employees.

Most business people in my experience don't turn money away. It's good to make money. It's even good to make a little bit more money. Most people I know -- and certainly it's true not just

for bosses, but I know it's true for me as an employee -- I understand that earning a bit more is earning a bit more, but to say I don't understand thinking that says but it's not as much as I would like to earn, so I won't do it. History doesn't tell us that's true.

Once upon a time in this country, we had a top tax rate of 90 percent, marginal, not for every dollar, but I mention this because the people who were earning enough money to be paying that rate kept on earning enough money to pay that rate. Nobody said I'm leaving that last million on the table because I'm only going to get 100,000 from it; poof, I can't be bothered.

That's not how the Rockefellers got to own so much.

I haven't owned a business. I have been an employee. I've been a mediocre employee in a lot of places, so I got to work at a lot of places. People hardly ever said please stay, Peter, we don't want to lose you. They went out and bought a cake and started singing. But, among those jobs, I have held a kitchen job. They're dirty, they're dangerous, they're hot, they're this and they're that, you fall on the greasy floor, you're lucky you don't split your head open, but the reason I mention it isn't

for all of that. The reason I mention it is because I have seen people preparing food and vomiting. It's their job. They're praying to God they make nobody sick. They're doing all they can to be careful. They're not like vomiting in the food, but I wasn't eating anything out of that kitchen that day. None of us were.

They weren't trying to poison people. They're trying to keep on making ends meet for their families, and they had no other choice. They couldn't even take a day off without pay and know that their job was secure.

When times are tough like they are right now, this is when it's time for government to step up. People don't need us that much when times are great. When it's full employment and employers are throwing benefits at people because everybody's competing for employees, we just don't have enough, we don't pass a whole lot of laws that people call a burden. Things get taken on their own.

Many of us have heard from real people who are our neighbors telling us stories about how they dare not take a day off, a half a day, with sick time.

We've heard about people walking away, saying, but I have to go, please let me; no, I don't have anybody to replace you, and if you go, it's your

job.

No employer in here -- and we have many -- not one of them -- ask them all -- not one of them would treat their employee that way. Ask them all. Not one. Everybody isn't as nice as my colleagues in this room.

We have the opportunity to help them be that nice, to help their employees. Many of the arguments we have heard we have heard before, except then the words people were yelling about were minimum wage. The same businesses that told me they would have to move then -- and there were a few thens, by the way; we've raised the minimum wage more than once in the last eight years I've been here -- every time I can tell you I could tell you which people in the main office are going to send me an e-mail saying this is it, we'll be gone, just like they sent it to me the last time we raised the minimum wage, and they sent it to me the time before that when we raised the minimum wage.

I don't want -- I understand people being anxious. We are not doing this willy-nilly because we don't care. We have all heard the story about the goose and the golden eggs, and we believe it.

We're not saying we would rather chase business out of Connecticut than have businesses treat their

people right. No. People keep saying we're the worst, we're the worst, we're the worse in the world -- don't tell that to people in Mexico or Latin America who are being shot for the rights on the job, but even just the U.S., I've got news. We're not known for businesses that grow a lot of new employees. We're known for bosses getting rich.

Everybody doesn't, but this is one place -- it's expensive, yes -- but one of the things that goes with that in spite of all we say is a horrible business climate, people know that here they can come and succeed, that because things are expensive and because people have options, there are options for them in their business, too.

That's separate from the just reality that most people start businesses near their homes. Most people in Connecticut who are hoping to start a business and whose dreams will come true are not looking across the country to find who has the fewest labor laws for their employees. They're living here in Connecticut right now, and they know right now that their neighbors, that their friends, that the people in the community who they hope to employ, are good and honest people and would no more be abusing sick time and be ripping off their employers than those of us in this room would.

They're just in jobs where they don't have sick time yet.

Now, there are many jobs that this could have applied to, but the proponents of this amendment were nice enough to take into consideration that it's new, people are anxious, and that, in fact, some employers we heard from, while I believe the manufacturer in New Britain I hear from every time we do something that's good for employees -- even though, by the way, every single time I've heard from him, he's exceeding the standards we're trying to pass for his competition -- we're dealing with service jobs, jobs that are going to be here, and this is one way we are leveling the playing field.

If we make every bus driving company that's big enough to have enough employees offer sick time, they're all competing against other bus driving companies that offer sick time. They've got to compete by being smarter; they've got to compete by being better, by motivating people more, but they're not competing by I can treat my employees worse than you and, therefore, wring more profits out of this situation.

That's a horrible, slanderous thing to be saying about employers in the state of Connecticut, and I'm not going to believe it about most of them

because they are us. Our employees -- our employers of the future are working here now and having good ideas, and just like New Britain was and is full of small -- not the big, but now small machine shops, most started by somebody who was working for the big corporation and said I can do this faster, it would cost me less, I could charge less and still make more. Those people are still here, and they're still going to be able to do that and still succeed. They're good people. They want to not just start a business. People don't start a business just for the heck of it. There are goals people want to accomplish, and most people starting a business recognize a responsibility to their employers who help them make the money, to the community that supports them in so many ways whether it's infrastructure or otherwise, and to the business itself, which we all understand if it doesn't keep going, not only does not provide sick time, but won't provide jobs.

So, when we're talking about this, I think we should be careful not to too quickly label it bill-killing legislation, not just 'cause I don't like the phrase, but because the experience of those of us who have been in the room for a number of years is that when we talk about doing something for those

who go to work every day and count as the workers with the least rights among us, with the lowest pay among us, it turns out to be okay and not business-killing after all.

If all the predictions of horrible things came true, we wouldn't need a bus way. There would be no commuting to work. It's not coming true. We've been down this road again and again, except we called it raising the minimum wage. Maybe we even called it some other right that some people thought that poor people whose jobs cannot be switched out of state are not worthy of having.

Me? I thank the proponents of this amendment for seeing through that folly and for giving credit to good employers, for giving credit to employers like the people who stood up today mostly speaking against this bill. Nobody stood up today speaking against this bill because they don't think their people are worthy. Again and again, we heard I do that, I'm in business, I give more. They're good people. They're just like almost all of the other business people out there. I'm not even saying that the people who don't give sick time to employees who will be covered by this amendment are not good people. I believe their hearts are in the right place, too.

We're going to help level the playing field so that they can be treating their employees in the same respectful and smart way that other folks do.

Myself, it's no secret that I'm a nurse. I work for a company that gives its full-time people time off because they understand taking care of the ill and the infirm is a job that should be done when you're healthy and feeling well and not by somebody who is sick and could be spreading disease.

I was appalled to hear from other home care companies saying oh, no, we can't do this. Sure, you can. It's not as easy, but you can, and by the way, when we're asking my employers, competitors, to do what they're already doing and the other people in the field are already doing, we're just for the umpteenth time -- sorry for boring people -- leveling the playing field.

I think this is a wonderful amendment. It must have been hard to cut it down to only apply to the people who are now the only people it's applying to. I refuse to believe that somebody's going to lay off that fiftieth employee because with that, they only earn a little bit more money instead of a lot more money. As long as somebody's getting more money, smart business people will take it.

This isn't applying to just some. It's

applying to all people who employ the folks in these categories. I understand it's only for companies of 50 people or more. Welcome aboard, you new person with the new idea for a company. We're going to accept that you're small, you're growing, and here's one way we can help you do the right thing, but we're not going to spend money sending the compliance police around in the middle of the night to check on things. We're not doing that anyhow. They would probably be state employees, and we're not getting any more of those.

This is a carefully thought out, well crafted amendment. It's true we're going to be the first state in the nation. We all know in our hearts of hearts we will not be the last state in the nation. It's a shame that all we can think of most of the time to do is compare us to other states where something isn't quite as good as it is somewhere else, while we're surrounded by a world where our allies do this and more.

The worldwide competition we talked about, they've all got sick time. You don't go to work when you're fifty in an employee place in Europe and not get sick time. That's who we are competing with, too. If they can do it, so can we. We're America. Better than that, this is the state of

Connecticut. This is where the people invent stuff that changes the world.

There are people who still have those good ideas that are going to be starting businesses. Let's help them by leveling the playing field for everybody in the same category and making rules that will help everybody get by.

So, maybe I'll wrap it up. I'll could go on with a dozen more things that could be hard, but I don't think we should be too afraid of this. I think we should be embracing it. We should just take credit for what we are. We're a remarkable state where a lot of people manage to get rich and where we respect each other whether we're low wage or high wage. This is one way where -- that it's going to be easy for people to show that respect without giving -- without taking on a competitive disadvantage to other companies that are more willing to be less kind to their employees.

I think this is a great amendment, and I hope everybody will join me in voting for this amendment and then for the underlying bill, although I'll understand if a half dozen or so people don't do it.

So, thank you very much for this opportunity, ma'am. I really appreciate it. I'll sit and listen to the rest of the debate, and maybe we'll talk more

when we're talking about the bill. Thank you,  
Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative. Representative  
Camillo, you have the floor, sir.

REP. CAMILLO (151st):

Good evening, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Good evening, sir.

REP. CAMILLO (151st):

I wanted to briefly talk about this issue from  
two completely different perspectives, one from a  
business owner, and one from an employee, both of  
whom are my friends.

The former owns a couple of grocery stores in  
Connecticut. It's a family business, and he's been  
providing paid sick days since the 1950's. He  
thinks it's the morally right thing to do, and he's  
been lucky. He's got a good product, great service,  
very fair, people like him, so he does very well.  
So, he could do it.

So, when this issue came up, I had a talk with  
him, and I was surprised to find out he is against  
this legislation, and I asked him why, and he said  
I'm able to provide it, and it's my business, and I  
think it's the right thing to do, but it's my

decision, and if government mandates this, what else could they mandate?

And, I listened to him, and it made a lot of sense, and I already had an opinion on this already to be fair, but it was interesting that he has provided us for about sixty years but, again -- and he was highlighted by a group who advocated this last year, and he said that's fine, he said, but I don't think we should be doing this on the government level.

And, about two weeks ago, I ran into a friend who works in the service industry, and she -- she pulled me aside and had a quick talk with me, and it got a little longer, and she was begging for this, and we talked and talked and listened to each other. At the end of the conversation, she said philosophically I agree with you, it's not good legislation, but I need it, but I really do, and if I was in your shoes, I wouldn't vote for it, but I'd like to see it passed.

So, I think, as Representative Tercyak was saying, I think people are good; I think people want to do the right thing; there are people of good will on both sides of this issue; but, I think it's very dangerous in a sense, forgetting this issue, if we continuously as a legislature keep throwing mandates

on top of businesses.

Now, I'm not saying the sky's falling and they're going to run out of the state, but the fact remains that if we keep doing this, you know, things that have always been bargaining tools, if we're going to say, you know, hey, you need to provide this, you need to provide that, well then really why do we need unions anymore, because we're going to just mandate everything, you know, little by little.

I know it may be a little bit of a stretch right now to say that, but I've been here three years, and I've also followed it before I got here and I grew up in Connecticut, so you see a logical progression.

Yeah, I wish everybody was doing well enough so we wouldn't have to have this debate, but certainly with respect to both sides, I do think it's easy to say, well, we'll just do this mandate and stop there, and then the next idea is going to sound just as good and make us feel good, and we'll do it again and again, and only time will tell how this will end up, but certainly, I mean, the bill is most likely going to pass, but how it will end up affecting our economy.

But, again, from a philosophical standpoint, in my heart I believe if we continue to keep telling

businesses you must do this, you must do that, because we know better, then I think it's a slippery slope, and I don't know where it ends.

Thank you for your time and for your patience, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative. Representative Wadsworth, you have the floor, sir.

REP. WADSWORTH (21st):

Thank you, Madam Speaker.

In addition to other correspondence I get during the day, the majority of the correspondence that I got on this particular issue was in the negative in terms of supporting this bill. Most of it was from private business owners that expressed their own personal experiences in the private sector, but there was one particular piece of correspondence that I got that was not necessarily from the private sector, and so I did touch base with this person and had quite a conversation with them, and they're concerned about this bill in two different respects.

One was what it would do to their business in terms of the documentation that they had to provide, additional documentation to supply whatever needs there were, and then the additional staff that you

would need, mostly in the form of a bookkeeper that would have to keep track of all of the hours that are being done in one place or another, and more importantly, she was concerned about her ability to stay in business and to provide the services that she did to her clients, and she was very sensitive to that issue because, quite frankly, that's the core of her business.

The difference in this one that I saw from the other private businesses that got in touch with me was that this one did home health care for the state of Connecticut, and so through you, Madam Chair -- Madam Speaker, could I propose a question to the proponent of the bill, please?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski, prepare yourself for questioning. Representative Wadsworth, please frame your question.

REP. WADSWORTH (21st):

Thank you, Madam Speaker.

There are a number of private contractors that do work for the state of Connecticut, and they are given rates from what I understand by the state of Connecticut for the services they provide, and those rates are based on an hourly fee.

Will this bill affect those private

contractors?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I'm not sure what private contractors you're talking about. If they're covered in the bill, then they're covered in the bill, you know. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Wadsworth.

REP. WADSWORTH (21st):

Well, the specific name that I got was Home Companion contracted through the state of Connecticut as a private contractor.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Home companions if they are -- if they fit the definition, then they're covered. If they don't, they don't. I'm not sure what home companions do. Are they subcontractors? Do they have a business of 50 or more employees? Until he tells me what the whole story is, I -- you know, I wouldn't know how to answer that. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski -- I mean Wadsworth.

Excuse me.

REP. WADSWORTH (21st):

Thank you, Madam Speaker. And through you, it's my understanding that this business has 97 employees, they work directly through the Department of Social Services, they are a Connecticut home care program for seniors, and, again, they are provided a wage that they have to charge their -- for their hourly rate. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. If -- they sound like they fit the bill, so I would just guess that they would be covered. As long as they're being paid hourly by an employer and they're not subcontractors and they're defined under these service workers' definitions, then they would be covered. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Wadsworth.

REP. WADSWORTH (21st):

Thank you very much for that answer, and so to follow that a little bit more, from the information I got, again, they get a wage. The company gets a

wage of \$16.32 an hour for the homemakers, and out of that, they pay wages to the employee, they pay benefits to the employee, they pay unemployment taxes both at the federal level and the state level, and they pay Workman's Compensation wages through that same wage, and when it all boils down, when you take out all of their expenses, I am told they range somewhere in between 50 to 70 cents per hour in terms of profit.

So, the way I've done the math here, also, is that as I understand this bill, there are 40 hours per year, which amounts to a week per year, and that would equate to about a week's pay, and boiling it down to an hourly wage, it's about 37 cents per hour for the profit that they intend to make.

So, if they're making 50 cents an hour, per hour, per person, this takes a huge bite out of that, and I guess my following question for that through you, Madam Speaker, is that if they have to absorb that cost, then are they going to be allowed by DSS to increase their wage rate to compensate for that, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Number one, I

don't know if your facts and figures are correct. I don't have them in front of me. Number two, I don't negotiate for the state as far as that goes. The bills -- the bill and whether they get increases or not are not under this bill. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Wadsworth.

REP. WADSWORTH (21st):

Thank you, Madam Speaker.

Just to comment on that, somebody's going to pay for this, and my understanding is that if there are non-profits that work for the state of Connecticut through contracts with DSS -- and my understanding that there is through information I've received over the session -- that there's about 1,200 different not-for-profits out there doing about \$1.4 billion of work for the state of Connecticut, and at a two percent rate, that's \$22 million of something that somebody's going to pay.

So, if the state of Connecticut does not give them increased wages for these services they provide, then they'll have to absorb it with their own rate structure, and to me they'll have diminished services to the residents that really need this throughout the state of Connecticut.

So, with that, Madam Speaker, I can't help but be opposed to this bill until some of these issues are resolved, and I thank you for your time.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, sir. Representative Coutu, you have the floor, sir.

REP. COUTU (47th):

Thank you, Madam Speaker. Madam Speaker, I rise today with in many ways grave concern for the state of Connecticut. There are people losing jobs every day. There are dozens of companies moving out of the state every month. There are malls that have no tenants. There are buildings that are going empty. There are homes that are being vacated, and people are leaving the state.

And, I know we all can question many things, and we can believe in this room, which is surrounded by thick walls, that potentially Connecticut is a great state that provides the most opportunity for businesses in America.

But, when 250 businesses come to this building and testify, and we have about 30 different business organizations that represent tens of thousands of businesses, and not one employer in eastern Connecticut comes to me demanding paid sick leave, it's hard not to think what are we doing.

There's not one business in eastern Connecticut that came to me, and I go out quite a bit to the Chambers of Commerce, and I know we all could think every business, the boss makes a lot of money. That's not true. Many businesses are struggling to keep their doors open, and many of their bosses are being laid off, and I know a dozen companies within my local neighborhood right around Norwich that are no longer in business. I can name them all, but we see them in the paper every day, and they're not going to Mexico, they're not going to Georgia. Pfizer moved to Massachusetts. Yardley moved to Rhode Island. Other companies moved to New York.

And, I can only believe that these companies are being honest when they're telling me they're struggling to survive, pay bills, and make payroll, and when they can't make payroll, they leave, or they close their doors, and it's getting extremely hard for me to believe and tell people throughout eastern Connecticut that you know what? The Governor is right; we're open for business. And, I really, really want to say that, but it's getting very, very hard, and my friends and my family, some of them are leaving the state. I'm part of a generation that's becoming no longer in Connecticut. Under forty, our average population just moved above

forty for the first time ever. That's a scary thought, and every one of us in here has somebody in their family who's left. That's 20, 21, 22, 25, 30, and that's why for the last 25 years we've had the highest percentage of our youth leave the state, and all of this comes to this bill, which is being proposed as pro-lawyer, pro-business, and all the good things that inside these thick walls stand for.

And, what I've heard many times is I am very proud of this state, and I love this state, and I served my country to protect the rights that people in the state have, but I've heard quite a bit tonight how great San Francisco is. I think it's very hard to find somebody in this building and outside of this building for sure who really thinks San Francisco is the Mecca of the great life. They have nice water, they have earthquakes (inaudible), but Connecticut is much better than San Francisco, and sometimes their solutions aren't the same solutions that are right for the state of Connecticut and the 100,000 businesses which 99.99 percent are telling us they don't want this bill.

So, with that, I have a question through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski, prepare yourself for

questioning. Representative Coutu, please form your question, sir.

REP. COUTU (47th):

Yes, ma'am. San Francisco many will say -- and it's been repeated -- has implemented paid sick leave and it's working for San Francisco. If it is as great as it's being presented, and that is sort of the incubator for the great state of California, why hasn't California adopted paid sick leave?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I can't say that I could speak for the Governor of California nor their Legislature. I really don't know why, but I can tell you this, and that is I heard on the business station talk about San Francisco. They did say that they were the third best for business in the country. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

Thank you, Madam Speaker.

The answer's obvious. It doesn't work for the state of California; it doesn't work for every other

city within the state of California; and, that's why no one else in California has implemented paid sick leave.

Yeah, I'm sure well over 50, 60 percent of the companies in California have paid sick leave, and it's been stated how good this is for the employee and how much -- how important it is for their children and their health and their families, but for 50 states today, for millions of businesses across America, they don't have a choice. It's not a mandate, but they think that is critical because when I hear people saying things about how businesses and how people in here and elsewhere believe businesses are doing so well, well, there's a tricky thing about businesses. One day you can have the best business in the world, and the next, you can go under. So, the real deal is you may be able to provide 40 days of vacation, five days of sick time, the best health care plan in America. There's great companies here that do that, but you know what? The next day if your business is about to go under and those employees have to feed and clothe their families, they may have to take away some of their benefits, and we've seen that within the state of Connecticut, Madam Speaker.

We've had to ask our employees can they please

step up year after year now, and I assume with the crisis that we face fiscally and as many of you are seeing on TV, we have a double dip in employment, we have a double dip in real estate, we have manufacturing numbers that are coming in stagnant, consumer confidence is plummeting. We are facing a fiscal disaster, and it's not just Connecticut. It's the country, and it's through the world after as much government intervention as we've ever seen in the history of our country.

So, the reality is today could be a wonderful day for any business, and tomorrow business can change, the world can change, just like the housing market did a few years ago. At its peak, look at it now. There's no sign of its recovering, and it's a daily situation, but if you own a company and you had 50 service workers -- I'm not even sure if real estate employees are included in this -- but if you had them and things turned to the negative, you may have to cut benefits, and when it's a mandate like health insurance mandates, like paid sick leave, it makes it extremely tough for that business to cut back, so what the business has to do is lay off, and they've been doing that for the past four years in America, and unfortunately, we just got sad news that Connecticut's unemployment rate rose when for

most of the states in New England it decreased.

So, you add a few more mandates. Indirectly, if the economy stays sour, there may be employees laid off. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Please proceed. Representative Zalaski.

REP. COUTU (47th):

I was hopeful I could get a position before the bill. Would he suspect that there may be employers that would lay off one or two employees if they're way above the cap. If the employer has 51, 52 employees, could it be assumed that they may lay off two or three employees or drop five or ten employees underneath that 680-hour threshold to get around this piece of legislation?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Thank you, Madam Speaker. Now, through you, my philosophy has been -- and I've said it a few times before -- if you need the people to work, there's work for them, you'll keep them or you'll hire. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

I thank the gentleman for that answer. My philosophy is irrelevant. It only matters what I hear from businesses that have 50, 55, 60 employees, and they're telling me they've been cutting back. Some of them had 70, 80, 90, and now they're down to 55, and they've made people do multiple jobs to survive and to make payroll, and now they're telling me that they are going to do that, but my fear is -- I had a wonderful debate with one of the strongest proponents of this piece of legislation in the Senate, and in that debate on the radio, she made it very clear the real goal is to get it to any company that's over one, and they know we shouldn't assume anything but what's in the amendment, but we know where this piece of legislation has come from and what was in it just a couple of weeks ago, and it's hard not to believe in my heart as many of the employers across our great state do believe this could just be the start.

I'm not going to go any further with that because I know it's not directly tied to the amendment, but it's a perception thing, and that's part of the perception of Connecticut with the anti-business, which is that this could just be the start, and six months ago, this wasn't really on the table. Now it passed committees barely, just about

every committee along its journal, a very close vote, some of the closest, I guess, in our history because most committees it passed by one vote, it passed the Senate by one vote. Somebody on our side was the declaring vote, deciding vote, and that's a perception issue, anti-business, but it's hard not to agree with them when company after company is coming to me across eastern Connecticut. I have three Chambers, and I go to each one of their events, and I have not heard one employer who wants paid sick leave.

The other thing is with perception, it could just be limited to myself with the concern of anti-business, or we could sort of pretend the double dip in housing, the 9.1 percent employment rate, which just went up, 17 percent real unemployment, and all of the other conditions that are going on with the state, but we have a lot of newspapers, and the newspapers, I just want to give them credit. They actually have a lot of comments in what they believe, and it's important because hundreds of thousands of people read these -- The Hartford Courant, the Norwich Bulletin, the Republican American, the New Haven Register, and The Day.

But, in general, The Hartford Courant, the paid sick leave bill isn't business friendly. They all

have some pretty stern warnings for the state of Connecticut. The New Haven Register: Connecticut closed for business. The bottom line is, as I said, at this moment 50 states don't think paid sick leave should be a mandate, tens of millions of businesses agree with them, every paper agrees, but somehow we disagree: We should make this a mandate.

I don't get it. I really don't get it. I don't know what the rest of the world sees. My wife is from eastern Europe. Believe me, we've got a lot better here. That's why hundreds of millions of people will come here and want to come here.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu --

REP. COUTU (47th):

Yes, ma'am?

DEPUTY SPEAKER KIRKLEY-BEY:

Can I ask you a question?

REP. COUTU (47th):

Yes, ma'am.

DEPUTY SPEAKER KIRKLEY-BEY:

Why are you shouting?

REP. COUTU (47th):

Ma'am, it's the military in me, ma'am. I'm sorry. I'll turn it down a little bit for you, ma'am.

DEPUTY SPEAKER KIRKLEY-BEY:

Would you please, sir?

REP. COUTU (47th):

Yes, ma'am.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

REP. COUTU (47th):

Ma'am, I've -- Madam Speaker, I've worked in the service industry for a good portion of my life. When I was 15, I served ice cream, and from there I've served food, beverage server, busboy, clean dishes. I've done just about everything in the food service industry for a long period in my life, and what I witnessed was people are pretty adaptable in that industry. They swap shifts; they do what they have to do to get through the day.

When I started thinking to myself, when is the last time I've seen somebody really sick serve me food, and it started to open up the whole idea I don't really remember anyone or they didn't show the signs to me, and I know when I would -- when you serve food, you are very busy, so if you are sick, it's a challenge. When you work in a kitchen, it's tough work, sometimes it's hot, and you get tired, and if you're really sick, the boss is going to know, and he doesn't want the reputation of the

restaurant to go downhill.

Now, does this mean there are isolated incidents where employees come in that are sick? Of course, employees come in when they're sick, and when this legislation is passed, there will be employees that come into work that are sick. It will change very little, but you can swap shifts, you can work it within your schedule, you can call your boss, and most employers will work with their employees.

And, with that, through you, Madam Speaker, I have a question for the proponent of the legislation.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski, prepare yourself for questioning. Representative Coutu, please proceed.

REP. COUTU (47th):

In this legislation, it defines some of the parameters of paid sick leave, and we often think of someone who will call out of work or somebody will ask for a hour off because they're sick, or in this case, it actually has new things which if a family member is sick, you can call out, and other things like that.

First, I just want to clarify. Can an employee call out 20 minutes before the start of their shift

and take a day off because someone's sick in their family or because they're sick? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. One never knows when their child or they are going to be sick, so there is no time limit. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

I have concerns with that. It's easy, it's almost something enticing if 20 minutes before work, something is going on that you really want to attend to or do and, of course, there will be some people that have sick leave now and utilize this because there's a real situation. But, the fact is many people in the service industry are young, going to college, and they're serving food, bussing tables, it's just a fact of the business. Many of the servers, many of the people in the front line, are younger, and there's always the question of what will those young people do.

I know. I'm relatively young. I know what some of my friends do. They may not have as much

responsibilities because they don't have a family, or maybe they're not mature yet, and they within 20 minutes, five minutes at the start of shift, just call in and take a day off, and I have some concerns with that.

On the opposite end of the day, if you have the end of the shift coming and it's 9:00 p.m. -- usually a restaurant might close 10:00 p.m. -- and usually the server has to clean up their five tables or four tables, the server at 9:00 p.m. has an hour left on their shift, and they decide, through you, Madam Speaker, to -- that they're sick and they need to get out of work.

Can they tell their employer at 9:00 p.m. that they're sick, they need to go home, and leave their place of employment? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. If somebody is sick or a family member is sick, then they get to leave. They are able to leave if they have sick days coming. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

And, could that be any time through the shift if they want to leave -- if it's an eight-hour shift and they have four hours in, they just say I'm sick. It's hard for the manager to really determine because he's not a doctor. He could -- you know, they could sniffle; they could have their eyes to be red, they just rub them. We don't know. Or, they could, obviously, really be sick, but in either case, can the employee leave any time during the shift if he feels sick or somebody in their family is sick? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I thought you said employee or employer.

REP. COUTU (47th):

Oh, I'm sorry. Employee.

REP. ZALASKI (81st):

Through you, Madam Speaker. If somebody is sick, they get to leave if they have the time coming any time. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

That's tough. I think that's really tough in

the service industry. You're basically making it where an employee -- yes, Madam Speaker -- an employee, a young employee, a college student, there must be tens of thousands of them in the service industry, could for just nothing more than what they are stating get out of work at any time, a Friday night, the worst shift, nobody wants that shift, Saturday night, nobody wants that shift -- it's usually the new -- the new employees that get -- well, it depends. If you want to make money, you do those shifts, but if you -- but at the same time, it's a tough shift if you've got something going on.

So, you could call in if you're not having a good night, your section's not producing the money that you expected, there's something going on, fun that night, and you want to go. You can say I'm feeling sick, and I'm sure the employer is not going to have somebody chase them around, but through you, Madam Speaker, if that employer really doesn't believe that employee and hires a private detective to follow them to the football game and realizes that they are not sick, what would be -- if the -- yeah -- what would happen in that scenario?

Would the employer be retaliating if he fired that employee? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. He does not have to pay the employee. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

Thank you, Madam Speaker.

So, if the employer tells that employee when they come back in I've seen you at the movies, I've seen you at any event other than they went back to their house because they were sick, then they, that employer would not have to pay the employee?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. In the bill, it says that if it doesn't fit the criteria of the bill, you do not have to pay them. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

And through you, Madam Speaker, if he terminates that employee, this is the fifth time, is

this acceptable or is that -- could result in a fine or some other problem for the employer?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. The employer could do whatever is in his -- what he normally does. I mean, that's no different than somebody saying they're sick, not having sick days, and going home, and you do whatever you do to them. There's no difference. Through you, Madam Speaker.

REP. COUTU (47th):

I thank the gentleman --

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

And then if that employee says or multiple employees are now taking time off two hours out because a couple of people on the staff get sick, they said we feel this was in response, the employer fired me, then they could go to the labor commissioner? Is that how it works?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

And I know it's been stated that there's only been a limited number of cases in San Francisco, but I have a concern that there could be a lot of cases in Connecticut, and would the labor commissioner have the capacity if there's something, a massive increase in these cases, does the labor commission or commissioner have the capacity to resolve and answer hundreds of these cases?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. As I've stated before, in San Francisco every employer, every employer, has sick days for every employee. It's not just for employers over 50, and as I've stated for the fifth or sixth time tonight, since 2007, they have had 200 cases, and out of those cases, that is less than five per month. Therefore, the Commissioner, the Department of Labor in the state of Connecticut has decided that they could do it within their appropriations now.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

Thank you, Madam Speaker.

And finally, through you -- well, I'll do a little synopsis. With mental health, if somebody believes they have a mental health issue in the middle of a shift or a few days before, they can say, listen, I'm feeling mentally unstable, I'm going through a divorce, I'm going through issues with my family, I need a day off for paid sick time.

Is this also covered within this legislation, Madam Speaker, through you?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Madam Speaker, if he feels that he's sick from it, then I guess it is covered under the bill.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

So that means, also, for any sickness or any belief that the person's sick, but at the same time, you would not need any type of psychiatric,

basically a doctor's note, even though somebody could believe that they have a mental condition, and by stating that, they would get a day off.

So, through you, Madam Speaker, does this mean that that individual who may have a -- or self-diagnosed, momentary mental condition from stress, they need a paid sick day, and they're calling in. Would they need a doctor's notice for mental health?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. The bill quotes that only on the third day. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Coutu.

REP. COUTU (47th):

Everyone has stress, Madam Speaker, and the reality is ten minutes before a shift, you may have stress, the baby may be crying. You think they're going to snap, and you just can't go in, and that may under this classify as an acceptable health condition that you can call out of work.

So, basically this is an open-door policy for anyone who has a child who's sick or an adult who has a self-induced, self-diagnosed mental condition,

or any type of physical condition from a headache to a broken toenail, and they don't want to go to work.

That's rather interesting, and that may be the reason why at this moment, 50 states and every city but San Francisco and maybe Milwaukee don't have a paid mandate, mandated paid sick leave.

Madam Speaker, I was a federal employee, and in that capacity we have paid sick leave, and what I witnessed was many people were abusing paid sick leave for various reasons to the point where it really wasn't even questioned. It was just part of your benefit package, you get paid sick leave along with your vacation time, and the only reason people in some cases didn't abuse it was because they had - - you would get money when you retire from the federal government. If you saved up your sick time, your comp time, you get a big check, so that was sort of the rebut to get people to not waste their paid sick leave and things.

But, it was abused by a lot of people, and that's another reason why I'm very skeptical. I've seen people do everything under the sun -- go to sporting events, take time off. It's almost openly stated, I'll just use sick time, same thing. Same time, vacation time, basically overlaps, and it's abused by many people on a daily basis.

So, it's hard for me to believe that it's not going to be abused, and when I hear that an employee ten minutes before a shift can have a headache -- it could have been from going out, over-drinking, or having a little bit of too much fun, they're exhausted -- I mean exhaustion could be really a physical health issue; it could lead to dehydration, it could lead to anything -- so basically anything under the sun ten minutes before the shift or during the shift, if you feel after the first two hours things aren't going as expected, you want to call out of work at two hours in, go in the bathroom, rub your eye, it's a little red, have a snuffle, there's nothing that that employer can do to say no, and if they do because they fired that employee because it's the fourteenth time in two months that they've done it, then that employee can sort of say hey, I think he did it to punish me because I have my paid sick leave right, and it's a mandate in the state of Connecticut, and this nine pages is my pass to a lawsuit.

I know that may be an extreme situation. I hope it doesn't happen, but we know it's going to happen.

Those are some of the reasons why I'm extremely concerned about this, Madam Speaker. As I stated,

we are in a jobs crisis. The unemployment rate went up again, and all I can believe is that employers, which are businesses across the state of Connecticut, are concerned about Connecticut's -- and it may be a perception for some, but it's also reality for many. The situation that we're in and what we've done to our state has resulted in no (inaudible) jobs since 1989, the only state in America, and some people would correlate other mandates to the cost of doing business, other legislation, and they believe that this is just one more reason -- and maybe it's the final reason -- and they'll follow companies that have moved to Massachusetts, Rhode Island, and New York and elsewhere.

And, if it is that final straw that broke the camel's back for just one business -- and I know a business that's right in our neighborhood here; they haven't told anybody, 110 employees; they're leaving -- and I can -- I don't want to make any specific guarantees, but I know another three or four businesses in eastern Connecticut that are this close to leaving. One is one of the biggest employers in my District, and the owner has just had enough, and it's a major employer, well over 150 employees. He's had enough. I went there. I

talked to his employees. They didn't support this legislation; they didn't understand why it would be a mandate; and, I went around because I tried to find an employee, and I just wanted to hear from them, and you may question, well, wow, what's up with those guys?

Union shop. They just don't believe it should be mandated, and, you know -- and when -- since they just went through a very tough negotiation process for the biggest contract for their company, they were this close to losing that, and they would have either moved out or laid off 50, 60, employees. If that did happen and this was a mandate and it affected that company, it would have been one more reason for them to leave. And, business after business that I'm talking to is really close to leaving, and I just don't know how I can support this legislation, which is a mandate. I support the concept; I support giving benefits to every employee of every business. It's a nice thing to do; it's the right thing to do.

But, when businesses are in survival mode, sometimes they just can't do it. So, because of the reasons, because of the businesses, because of the other states, all of those businesses that testified, all of the employees that are just

looking for a job, never mind paid sick leave, I cannot support this legislation. I hope my friends on both sides of the aisle will look at their e-mails and really decipher who is e-mailing us, asking us to help them, and if you do have a business in your region, I'd like to know if it's a major employer, who is demanding that we pass this mandate. I've asked many of my peers. I can't find any business in eastern Connecticut that is openly coming out saying we demand a paid sick leave mandate, and I would like to know of one, but I just can't find it.

And, for those reasons, I can't support this legislation.

I thank you, Madam Speaker. I thank the Chamber, and I hope we are not doing the final piece of legislation that will result in thousands of people getting laid off in our great state.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative. Representative Carter, you have the floor, sir.

REP. CARTER (2nd):

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

You're welcome.

REP. CARTER (2nd):

Good evening.

DEPUTY SPEAKER KIRKLEY-BEY:

Good evening.

REP. CARTER (2nd):

Madam Speaker, just a few questions through you to the proponent of the amendment, please.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski, prepare yourself.

Representative Carter, please proceed.

REP. CARTER (2nd):

Thank you, Madam Speaker.

On line 16, we talk about what the definition is of an employee. I notice this was different than the original bill. It looks like it has taken out any talk of pay given to the employee.

So, I guess my question through you, Madam Speaker, is are we going to be giving volunteers for organizations paid sick leave? Through you.

DEPUTY SPEAKER KIRKLEY-BEY:

Would you repeat the end of that?

REP. CARTER (2nd):

Yes, Madam Speaker. My question through you is are we giving volunteers paid sick leave with this bill? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. CARTER (2nd):

I'm sorry. This amendment.

REP. ZALASKI (81st):

Through you, Madam Speaker. That's a very good question. I believe if you're a volunteer, you're unpaid, so you could take any sick day you want unpaid. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Carter.

REP. CARTER (2nd):

Right. I certainly would understand that, but we talked about, you know, coming out and putting in legislation that matters and making sure we cross our T's and dot our I's.

I notice a significant difference between the bill and the amendment that we're about to put forward as it talks about employee as somebody who's engaged in service to the organization.

Now, if you look at some of the things that are covered in this bill, one of which that stood out to me was nursing aides. Now, I know at some of the local hospitals, they're volunteers, so it just made me question can a volunteer come and say I deserve paid sick leave?

I know normal people may not do that, but,

again, we want to make sure this is law and that we do it the right way.

So, that's my question, Madam Speaker. Can a volunteer with this bill ask for paid sick leave?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I think if you're talking about Candy Stripers, if they don't get paid, then they couldn't get a paid day off.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Carter.

REP. CARTER (2nd):

Well, Madam Speaker, thank you very much. I would definitely appreciate the answer. Obviously, this bill is not clear because it just says an individual -- excuse me -- an individual engaged in service to the employer is covered by this.

So, I guess that's something that we'll just have to take a look at down the road, so I'll move on to my next question.

Oh, by the way. Another person that came to mind was my grandfather. You know, my grandfather at 86 years old was a driver for his nursing home, and he did it as a service out of the goodness of

his heart, but there's somebody else who -- let's say my grandfather decided he wanted a little paid time off. I don't think he would do it, but under this bill, he could because it's clear that anybody can ask for it.

So, moving right along to the next page, line 111, when they come up with a number of 680th hour of employment before you can get paid sick leave, I was thinking, Madam Speaker, I'm just curious why they came up with 680 hours.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

I believe it's the same as a probationary period usually is. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker. And, I think that makes a lot of sense. I was looking at this, and I was trying to imagine, you know, back in the days when I waited tables going through college, and what we currently use in some of our other legislation for an example of a waitress or a waiter, they work about 23 hours a week -- I talked to another member here earlier -- 24 hours a week tops as a part-time

waitress or waiter, so looking at this, this is basically about seven months, so that kind of makes sense, but my question will be then: Is there anything in this legislation, through you, Madam Speaker, that would keep me as an employer from just letting people go early as a way of getting around paid sick leave?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. No.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker. I notice we've gone a long way in this amendment and the bill and other places, too, to make sure we, you know, legislate so we can do things fairly.

I was just curious. This may be a loophole for some people who, although good intentioned, may try to get around paid sick leave.

Going down to line 128, we talk about the normally hourly wage of an employee. Isn't that normally hourly wage of somebody who gets tips? Would tips be included in that?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. No, it would not.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker.

My final question to the proponent of the bill -- excuse me -- the amendment, as you get down to line 198, in that paragraph, Section 4B, we're talking about the ability for an employee to roll the time over at a rate of 40 hours per year, and they're also talking about the ability to donate that time back to another employee.

So, I guess my question is can an employee who has reached their max -- you can only roll over -- somewhere else in the bill, actually, or the amendment, it says you can roll over 40 hours. Can an employee who is getting close to that mark who can't roll over in time just arbitrarily donate their time to a friend?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. They couldn't unless the employer said they could. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker.

But, as I understand the bill -- and I want to make sure I'm clear on this -- the employer does have to allow them to roll over -- excuse me -- not roll over -- the employer must have a policy that they can donate their sick leave to another worker. Isn't that correct? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. They would have to establish a policy. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Carter.

REP. CARTER (2nd):

Thank you, Madam Speaker.

I mean obviously this could be actually a little bit of fun. You know, you could almost like have a little cap and trade thing going on in your

organization where I sell my extra sick leave. I like that idea. That looks like a lot of fun.

Thank you for your answers regarding the amendment.

I will disagree and I will not support this amendment for two reasons. Number one is on concept; number two on principle.

When I speak of concept, you know, the whole concept of doing this is we want to help some people out; we want to help out people who may need a little extra sick leave, may need some extra help when things are tough. When I was doing the math on this, you know, somebody who's a waitress -- I'll use that example -- makes basically for 23 hours a week, and if they're lucky and part of that time is spent in the kitchen doing prep, which means they get paid minimum wage, maybe it's a low tipping waitress job, they're looking about 157 bucks a week is what they're looking at. That doesn't sound like a lot of money, and that's what we would be talking about given for this time off, is 157 bucks. That comes out to about \$8,200 a year.

But, when you look at that in terms of an employer, and if an employer has, let's say, 40 employees, let's say a 50 total, but only 40 of the employees are eligible for any kind of paid sick

leave whatsoever, that comes out to about 8,500 bucks a year, so, you know, looking at the business part of things, that's going to really make it difficult for that employer to say hey, you know what? I want to give you an extra shift; I know that you're working really hard to get through college; I know that you've got, you know, your girlfriend's birthday coming up in a little while and you want to buy something special, it's really hard for me now as an employer to give out that extra shift for somebody.

It also takes away the flexibility that we've talked about a number of times where if I want to switch shifts around for somebody because I'm not feeling the (inaudible), I've got something coming up, that's what these part-time jobs are for.

Part-time jobs are supposed to be flexible. That's why you work part-time. I worked a ton of part-time jobs getting through college. My favorite was a security guard job. I worked security in all kinds of different places including a hospital where I sat, you know, all night, did my homework, made my rounds, turned the key, but what was really nice about that is every so often I would get a raise.

Now, another problem with this is even though it sounds great that we're getting some paid sick

time, that really makes it more difficult for my employer to recognize me as doing a decent job and give me a little extra money.

So, my question is are we really helping people by doing this? We're giving somebody an extra week overall for a whole year; we're making it more difficult for the employer to do their job or keep their business open. It doesn't really make the common sense test to me, so I'll disagree on concept.

Now, of course, principle is another huge reason why I will not support this as it stands. You know, we've talked a number of times about how this amendment will affect employers, and this concept that over time we've done this, we've had minimum wage, we compared this minimum wage, and look, nobody left the state. Oh, my goodness, you know. Everybody's calling me, my businesses, I've heard it said, but nobody's left the state yet. The same people are calling the next time we pass something that's hard on them

Well, at some point, we're going to hit a place where guess what? They are going to leave and, yeah, I've got people calling me every day saying, "Dan, I've got 200 employees in a temp agency, and you know what? If you pass this, I'm out of here."

Now, is he out of here? Probably not. With this kind of message that we send to businesses does make this place a terrible place to do business in Connecticut, and at some point, we are going to reach a breaking point where people don't want to keep their businesses here, where it is easier just to pick up and move to another state or move to Florida, and I think the very fact that we ignore that is an arrogance that's beyond belief.

So, I can't -- I can't keep supporting this concept that, oh, they're just going to keep complaining, and it's going to be okay. I know our heart's in the right place; I know people are good; so, I want to make people encouraged to be here. I don't want to give some handout to young people and give them the idea that oh, yeah, you're in Connecticut, you get your free week of paid sick leave.

The bottom line is if people save that extra 200 bucks, they're going to be okay, and they're going to have employers -- and we heard them tonight -- and we're going to get them through a touch time, so let's let our employers do that.

Now, finally, the last thing I want to talk about is there's some talk about, you know, us being Americans. You know, it's great for being American,

but the thing that got us here was not leveling the playing field. The thing that made America great was creating opportunity, getting out of people's way to let them succeed.

So, I look at this and I say there's nothing American about what we're doing here. In fact, I think it's a contrary.

Madam Speaker, I thank you and the Chamber for the time, and I urge everybody to not support the amendment. Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Crawford, you have the floor, sir.

REP. CRAWFORD (35th):

Thank you, Madam Speaker.

There's a very famous quote by the fourth President of the United States, James Madison, who said that if men were angels, we wouldn't need government, and we talk tonight exactly about that concept.

Eighty, 83, 84, 85 percent of the people who own businesses in this state, they provide paid sick leave. The other 17, 15, whatever it is, that's the issue we're talking about, and the people that are there, I'm also very concerned about what I hear to be fear and trepidation about the state of

Connecticut being number one at something.

This is the state that produced Stowe and Twain and (inaudible). This is the state that put forth the Fundamental Orders about the rights of men and one man and one vote. This is the state that had the first public library, that believed that everyone, regardless of class, should have access to knowledge.

They had the courage to step up and be first. This is a moral issue of our time. It was race in that century; it's class now. The people we're talking about are people who in many cases will never be able to leave those occupations because they're locked in them, some by accident, some by lack of opportunity. Those people need a voice, and we're the ones who should be providing it.

I'm not concerned about the message we're sending to business. I'm concerned about the message we're sending to all our citizens about being inclusive.

I can't vote against this amendment and ever again say anything about the quality of family life or about my respect for the dignity of hard work and have it be anything but lip service, and that's all it is, because this is a bill that talks about hard work, and people who work hard deserve the same

rights regardless of how much they get paid for it.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you Representative. Representative Sanchez, you have the floor.

REP. SANCHEZ (25th):

Thank you, Madam Speaker.

Madam Speaker, I rise in support of this amendment, and I'm not going to take too much time. Madam Speaker, I rise in support of paid sick days because of people like my constituent, Paula, Paula, who came to the Capitol today, to lobby and to bravely share her story.

Paula was working in a secretarial job without paid sick days when her boyfriend at the time became abusive. When Paula and her daughter attempted to escape the relationship, the boyfriend held her captive, raped her, and abused her for three days. Finally, she escaped to a safe house. The next day, she couldn't go to work. She was badly bruised, had a ruptured eardrum, and needed to get a restraining order.

Since she didn't have paid sick time, she lost her income at the time when those resources couldn't have been more critical. By the end of the week, she lost her job as a result of a few days of work

she missed.

This is a disgrace. This should never happen in America. We cannot let our people be treated like that, and in Connecticut, it won't have to happen that way.

A few days paid sick leave wouldn't have eliminated the horror of her situation, but it would have allowed her to retain financial security while she recovered, and keeping her job would have meant dignity as she put her life back together.

The cost isn't much, but in our worst moments, a few paid sick days can make all the difference in the world. For Paula and for thousands like her, it makes me incredibly proud to be here today to support the paid sick days on the bill and this amendment.

For those who question the need for this measure, ask Paula why it is so important that we're here today to pass on this bill and this amendment.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative. Representative Molgano, you have the floor, sir.

REP. MOLGANO (144th):

Thank you, Madam Speaker. Good evening to you, ma'am.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you. Representative Hennessey, you have the floor, sir.

REP. MOLGANO (144th):

No, I'm not finished.

DEPUTY SPEAKER KIRKLEY-BEY:

Oh, I'm sorry, sir. Please proceed.

REP. MOLGANO (144th):

I was just saying good evening to you. That was --

A couple of questions to the proponent of the bill, amendment, if I may, ma'am, through you?

DEPUTY SPEAKER KIRKLEY-BEY:

Would you repeat that? You want to ask a question of --

REP. MOLGANO (144th):

(Inaudible) proponent of the amendment through you, ma'am.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski, please prepare yourself. Representative Molgano, please proceed.

REP. MOLGANO (144th):

Thank you, ma'am.

In Section 3 on lines 168 to 172, if I may paraphrase, it says an employer requesting

documentation from a health care provider shall be considered reasonable.

Is it reasonable for an employer to make it a requirement that a note from a health care provider is necessary to return to work if the employee was using paid sick leave days for an illness he or she had for three or more days?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. It states in the bill that three or more consecutive days, an employer may require reasonable documentation, yes. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Molgano.

REP. MOLGANO (144th):

I thank the good Representative for his answer.

Though you, Madam Speaker, if a company has a short-term disability or long-term disability policy, does this bill yield to those policies?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. If they have a short-term policy and they get paid, I guess they could use that first, or they could use their sick days. It's really up to the employee. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Molgano.

REP. MOLGANO (144th):

Thank you, Madam Speaker.

To clarify, does the employee or the employer?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I would say as long as you have sick days, you could use them, so I would -- I would say that the first five days, if you have five days. If you have only 17 hours, whatever the hours that you have, it's your prerogative to use at will. Thank you.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Molgano.

REP. MOLGANO (144th):

I thank the good gentleman for his answer.

This morning as I was coming up to the Capitol,

I heard on the news about the May jobs report, and we heard that across the nation, only 54,000 jobs were gained in the month of May.

My colleague, Representative Coutu, stated that we're back to 9.1 percent unemployment rate.

I received several e-mails from businesses in my city of Stamford, and I have to say they're very disturbing to hear some of the comments and statements that were made in these correspondences I received. I'm hearing things like this bill will invite malingering, add overhead to business, businesses are now looking for ways to cut costs including relocation. Business is telling me the only -- this will only cause more of them to shut their doors and move out of the state. Businesses are telling me they're already struggling with increased taxing and a recession that will not go away.

(Inaudible) are asking we already have to pay these employees when they are ill, but we also have to pay the replacement.

Madam Speaker, my city of Stamford is already experiencing a 7.1 percent unemployment rate, the highest we've had in a long, long time. We also have a 24 percent commercial vacancy rate. What I'm concerned with, Madam Speaker, is that I worry these

companies are going to make a decision to leave, and my city can't afford that, and with this particular bill saying that companies will have to mandate this policy for 50 or more employees, that's a lot of businesses in the city.

Because of these concerns, Madam Speaker, I'm impelled to have to vote no to it, this amendment, and I thank you for the time, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative Molgano, and I apologize. Representative Hennessey, you have the floor.

REP. HENNESSEY (127th):

Thank you, Madam Speaker. I have a question for the proponent of the bill.

Through you, Madam Speaker, many employees -- employers currently provide a variety of benefits to employees including health insurance. Is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes, that is correct.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hennessey.

REP. HENNESSEY (127th):

Thank you, Madam Speaker.

Through you, when employers provide health insurance to employees, some employers use a payroll deduction system so that the cost for paying for employee-sponsored health insurance is partially offset by a payroll deduction, so the cost is actually shared between the employer and the employee. Is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes. As a matter of fact, that's what my -- where I work does right now.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hennessey.

REP. HENNESSEY (127th):

Thank you, Madam Speaker.

Through you, Madam Speaker, it is my understanding that that cost of offering five paid six days to an employee is far smaller than the cost of providing health insurance to an employee. Do you think that is a fair assumption?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes. I would say that's a fair assumption being that at my plant personally we pay \$55 a week towards insurances, but yet the company -- the insurances are 1,700 a month.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hennessey.

REP. HENNESSEY (127th):

Thank you, Madam Speaker.

Through you, even though the cost of providing paid sick days is very small, it is my understanding that nothing in this legislation would restrict or prevent an employer from establishing a payroll deduction system of some kind that such cost of providing paid sick leave might also be shared between the employer and the employee. In effect, employees could set aside some money from wages to cover the cost of providing paid sick time, and they could give a wellness bonus to employees who don't use their sick time, so employees would all receive the same total compensation, but the employer could soften the cost of providing paid sick time.

Even though I agree with you that this is a

very small cost to begin with, but it is my understanding -- but is my understanding correct that nothing in this legislation would prevent an employer from establishing a payroll deduction system as many do for health insurance benefits?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I don't believe anything in this legislation would stop that, yes.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Hennessey.

REP. HENNESSEY (127th):

Thank you, Madam Speaker.

Well, it just seems that through this device, it really would take the onus off any financial burden on employees, and I hope they take advantage of it.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, sir. Representative Davis, you have the floor, sir.

REP. DAVIS (57th):

Thank you, Madam Speaker.

I rise this evening and almost early morning as

we're approaching the midnight hour in opposition to this amendment because I've worked many of these jobs that are going to be under this service area. When I -- the first job I ever had was at a grocery store. I started as a bagger, worked my way up to being a cashier, working as the customer service desk agent, a small family-run chain of grocery stores mostly here in Connecticut -- they have a few up in Massachusetts as well -- and I believe that job would fall under Code 41-2011 in this bill.

After high school, I worked not only there in the evenings and on the weekends, but I worked full-time during the day as a summer custodian and janitor at my local middle school, so I worked there during the day, and then I'd go and work as a cashier at night, working both jobs, and get ready to go to college, so I can try to pay my bills when I got there.

And, I think that janitor job would fall under 37-2011, so I worked there through the summer. Eventually, you know, it paid a lot; I saved up a lot of money; I went off to college; I stopped working as the cashier at the grocery store; I went to college; I stopped working as the janitor in the summer custodian job -- it was temporary, it was seasonal, it was just during that summertime -- went

away to college, you know, money started running low again, so I went and got another job at a company up in Enfield, started as a production assistant, worked my way up over the summer and the winter breaks, executive assistant, to being a technical writer there. I believe that would fall under the secretary and administrative assistant, 43-6010, you know, and I would work enough that I would qualify under this bill because I would work when I wasn't at school, and it became a point when I got later on in college that I would be working while I was in school in there, so I would be working at the company in Enfield, and then I'd be commuting up to UConn up in Storrs, and I never received sick leave there in any of these jobs.

And, it's a situation where just I worked there, I came back, I went to graduate school, I was studying for my Ph.D., I got elected here, so I had to leave that job as a teaching assistant at UConn because that would be in both branches of government, so I had to go back and look for another job at the company that I worked for up in Enfield, so I got my job back as a technical writer, working there part-time about 20 hours a week. If I had stayed there, I'd qualify for paid sick leave under this bill, but I was furloughed about a month ago,

haven't worked in about a month, but I'll tell you what: If they called me up tomorrow and they said, hey, Chris, you can have your job back, I wouldn't say whoa, am I going to get paid sick days if I come back? Am I going to get those five paid sick days if I come back, because I'll qualify if I do?

No, I'm not going to ask that question. I'm going to say thank you very much, I need that other job, I'll come back as soon as you need me.

People across the state, in the same situation. They're looking for jobs. We see the stock market fell yesterday the most it has in a year. Factories are closing according to the Wall Street Journal. The economy is stumbling. Here in the state of Connecticut, we have a higher unemployment rate than we do across the rest of the country. People want jobs.

So, when my constituents come up to me and they say Chris, where are the jobs, that's what we elected you for, I say they're not here, they're not in this amendment, there's no jobs created in this amendment. We're less than a week away from the end of session, and we're possibly, if we adopt this amendment, going to pass a bill that could create less jobs here in the state of Connecticut.

You know, an earlier speaker this evening said

you know, the state of Connecticut, we're not known for growing jobs; we're just known as a state where bosses get rich. An interesting comment because it's true that we aren't known for growing jobs. We haven't grown jobs since 1989. Ladies and gentlemen, I was three years old, three years old, and we haven't grown a job, that new job since I was three years old here in the state of Connecticut, and we want to tell young people to stay here, you'll have a living, you'll be able to create a family if you stay here in the state of Connecticut. How can we say that when we have a track record of over 20 years of having no new jobs created here in the state of Connecticut?

Madam Speaker, you know, we had an earlier speaker that talked about how, you know, some of these workers will never be able to grow out of the positions that they're into now because they're locked into their status in life, and, Madam Speaker, quite personally, as an American, someone who believes in the American dream, somebody who believes that if you work hard, you will achieve in life. I find it hard to believe that people are locked in their status in life because you can grow from anything. My family, before I was born, they were on the WIC program, they worked

hard. My mother still works two jobs. My father worked two jobs many times, me growing up, but we lived a nice way of life because they worked hard, they grew out of that status in life.

And, Madam Speaker, I think that's the key, and if we can't have employers here because we're passing mandate after mandate after mandate on these employers, more taxes, more taxes, more mandates, and they leave, how can we expect to have people here in the state of Connecticut, because we can't have employees unless we have employers.

And, Madam Speaker, I will not be supporting this amendment this evening because I believe we will have less employers to employ these employees here in the state of Connecticut if we continue to pass mandate after mandate like this.

So, thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative. Representative Greene, you have the floor.

REP. GREENE (105th):

Thank you, Madam Speaker. I appreciate the opportunity.

I actually had a number of questions earlier tonight, but Representative Zalaski has already answered the vast majority of them, so I won't

belabor the point, but I do have a question that I don't believe has been addressed at this point. If it has, I apologize, but I'd like to ask it through you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski, prepare yourself.

Representative Greene, please frame your question.

REP. GREENE (105th):

Thank you, ma'am.

Does this bill exempt municipalities? Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. No, it does not.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Greene.

REP. GREENE (105th):

Thank you, Madam Speaker.

Just to kind of follow up with that, does this bill -- I know in -- under lines 27 through 31, the bill addresses non-profits basically, Section -- or, I'm sorry -- 501c3's. Does this bill apply to, for example, a local ambulance association, which is technically a quasi public agency?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

If the -- through you, Madam Speaker.

If the question is are they covered under this bill, yes, they.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Greene.

REP. GREENE (105th):

Thank you, Madam Speaker.

That's really a concern that I have. Quite frankly, many of us in here admit we've been talking quite a bit throughout the session about not wanting to harm our municipalities or make it more expensive to operate. Now, I know most -- most towns probably already offer paid sick time off or personal time, or whatever it's called in that town, so it probably wouldn't apply to them, although I can't say that that's every town. There are a number of very small towns in the state that may employ more than 50 individuals that this would apply to, and that could, in fact, be a state mandate on these towns.

I do know for a fact there are a number of ambulance associations, for example, that would apply, and it's going to drive their costs up. This is going to cost significant money. Ambulance

drivers, EMT's are covered under this bill specifically. If you're an ambulance association and you have, say, 55 EMT's on staff, which some of our ambulance associations do, that might mean the difference between hiring another EMT and not.

So, that's a concern that I have with this -- with this -- I apologize -- this amendment, not this bill.

In addition to that, I will just say this. Representative D'Amelio spoke earlier tonight from the perspective as a business owner, one that thankfully under this law, under this legislation, would not be affected, but I think he's a great example of what kind of employers we do have in this state. I know that a previous speaker referenced a great quote from James Madison, which was very appropriate, and he's absolutely right, but I have to disagree in this case, because in my mind, if we characterize our employers as either being angels or not angels, bad men, bad women, people with an agenda driven by greed, then we're doing a serious disservice to the very vast majority of our employers in this state.

If they don't offer paid sick time off now, there's probably a very good reason for that. We need to remember that this legislation is not only

going to cost money, it's going to cost jobs. This point has already been brought up, but I will say it again.

The primary reason why I'm opposed to this amendment and the underlying bill, we can't afford to legislate how businesses operate because if we continue to go down this path, we will not grow any jobs, and all of us here were elected -- I know I was -- with the mandate from our constituents, go up to Hartford and grow jobs, help us get back to work, and we haven't done that. This legislation doesn't do that. This legislation will cost people jobs.

I think of my sister. She's a bartender at a local restaurant. It's a very large restaurant. I don't know if they have 50 employees, but I think if we pass this legislation, this may affect her, her job there. This may affect my cousin, who's in college, because she was recently hired by a large restaurant. She was probably the last person hired, so if they have to reduce the size of their staff, chances are she's going to be the first one gone. That's a problem.

If our -- if our business in this Chamber results in the loss of any jobs in the state, then in my mind we've failed our constituents.

For that reason, I will be opposing this

amendment. Thank you.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, sir. Representative Thompson, you have the floor. Jack? All right.

Representative Shaban, you have the floor.

REP. SHABAN (135th):

Thank you, Madam Speaker. Through you --

DEPUTY SPEAKER KIRKLEY-BEY:

For the second time.

REP. SHABAN (135th):

No. Actually, I think it's the first time.

DEPUTY SPEAKER KIRKLEY-BEY:

Pardon?

REP. SHABAN (135th):

I think it's the first time on this amendment, ma'am.

DEPUTY SPEAKER KIRKLEY-BEY:

We're still on the amendment.

REP. SHABAN (135th):

Yes. So, if I may -- I think

DEPUTY SPEAKER KIRKLEY-BEY:

It's the second time. I saw you on the TV when I was inside. You're saying the first?

REP. SHABAN (135th):

The first.

DEPUTY SPEAKER KIRKLEY-BEY:

I was told it was the first. I apologize.

DEP.S

Well, that's correct.

DEPUTY SPEAKER KIRKLEY-BEY:

I was trying to be diligent.

REP. SHABAN (135th):

I hope the first person was a handsome gentleman, so --

DEPUTY SPEAKER KIRKLEY-BEY:

You are.

REP. SHABAN (135th):

Thank you, Madam Speaker.

If I may, a few questions to the proponent.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski, prepare yourself.

Representative Shaban, please proceed.

REP. SHABAN (135th):

Thank you, Madam Speaker.

My questions and my comments, sir, are going to be divided up, I think, a forest from the trees type of approach. I mean, a lot of times we speak in here and a lot of times I speak in here talking about some arcane trees as opposed to what we're doing in the forest, so I'm actually going to take

it from the reverse side, and I'll start with the trees, and if I may, through you, Madam Speaker, a few questions about the amendment, and in particular I wish to ask about Section 7 starting on line 39. Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Please proceed, sir.

REP. SHABAN (135th):

My question through you, Madam, is really about the scope of the definition of service worker. There's a -- there's a long diatribe here, a long list here of categories that we pulled, I guess, from the Federal Bureau of Labor Statistics Standard Occupational Classification.

My first question through you, Madam, is why did we use the Federal Bureau of Labor Statistics Standard Occupational Classification system?

Through you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

That was the one we chose to use because it's a federal standard. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Through you, Madam.

Is this a federal -- what is this a federal standard for, if you know? Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. It's a federal statistical standard for occupational classification systems.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Through you, Madam.

I thank you for the response. Is this classification used in any wage and hour requirements under federal law, if you know? Through you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I'm not sure.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Madam.

Well, I guess -- I guess my question really goes to who's in and who's out because in line 40, we speak to what the service worker means, and you can read it, but it says: One of the following broad or detailed occupational code numbers and titles.

Through you, Madam Speaker. Is this list meant to be the exclusive list of the folks who are covered by this bill?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes, it is.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Madam.

So, on line -- referring to line 88 and 89 then, after the list of different classifications, there's an and, there's one, paid on an hourly basis, or two, a non-exempt employer is subject to minimum wage.

Through you, Madam Speaker, was there any testimony or advice or thought given to what was

meant by paid on an hourly basis?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Yes, Madam Speaker. Through you, Madam Speaker, I would say that means that you're non-salary. Through you, Madam speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Well, thank you, Madam.

Well, I'm an attorney, and I'm paid on an hourly basis. I have an hourly rate which I'm too embarrassed to admit here, but I'm paid on an hourly basis, and with that, through you, Madam Speaker, would that make me subject to this bill if it passes with respect to my law firm?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. No. Because you're a professional, you're outside of the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

And, if I may, where is the professional/non-professional distinction cited in the bill?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. It's one of the categories of the exemption.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Perhaps -- and I thank the gentleman for his answer, but I'm not sure. Could you -- through you, Madam, where are those exemptions? Truthfully, I'm just trying to make sure I understand what's in and what's out. Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

It's under Fed -- through you, Madam Speaker -- it's under the federal wage and hour laws. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

All right. Well, I guess that's a little different, so there's -- there's not an exemption within the bill itself, the exemption -- if I understand the gentleman's answer, it's the non-exempt employees under the Federal Fair Labor Standards Act? Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Well, in the same context, same lines 88 or 89, how about a car mechanic? I know my car mechanic when I go down and have him change my oil or change a tire, or do anything else to my car, he charges me a certain rate per hour. Is he subject to the -- if it's a large enough operation, let's say, an auto dealer, is that car mechanic subject to this?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. If under the law he gets overtime, the yes, he is in the bill.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban

REP. SHABAN (135th):

Well, through you, Madam.

I'm not sure that's what the law -- what this bill says because between 88 and 93, it says: and is, one, paid on an hourly basis. Following that it says: or, two, non-exempt for the minimum wage and overtime compensation requirements. That's an "or," so is it the gentleman's understanding that that "or" should be an "and"? Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. No.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Okay. Well, I guess we've kind of mixed it up a little here because if it's paid on an hourly basis or exempt, would not a paralegal, a paralegal in my law firm who gets paid on an hourly basis, would not that paralegal be subject to the

provisions of this bill?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. You can get salary and get overtime. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Madam Speaker.

I understand -- well, I'll leave the point. I think I've highlighted it, which goes to some of the earlier issues about the vagueness of who's in and who's out. We have a long list; it's not inclusive; there's an "or" when there probably should be an "and"; there's a list of federal standards here that were not meant to be anything but for accounting purposes on the federal level; but, I'll move beyond that.

Turning to Section 2, if I may, or -- yes, Section 2B, in particular starting on line 113, through you, Madam, the bill reads now: Service workers shall be entitled to use of accrued paid sick leave upon the completion of the service worker's -- going on -- or if hired after January 1,

2012, upon completion of a service worker's 680th hour of employment from the date of hire.

Through you, Madam Speaker, if an employer hires somebody and fires them on hour 679 and rehires them in a week, does that not start a new clock?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes, it does.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

So, an employer of 50 or more employees can duck the paid sick time issues here or duck the paid sick time requirements under this bill, should it pass, by firing and hiring somebody and reset the clock?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. It seems so.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban

REP. SHABAN (135th):

Thank you, Madam Speaker, and I thank the gentleman for his answer. Obviously, I question the public policy that behind the entire bill would be a tracking system that has that type of flaw in it.

Moving on, Madam Speaker, in Section 3 starting on line 141 -- I'm sorry. Withdrawn.

Starting on Section -- same Section 3, but on line 160, through you, Madam Speaker, my question goes to the distinction between a foreseeable absence and a non-foreseeable absence.

Through you, Madam Speaker, in the event of a non-foreseeable absence of three or more consecutive days, is it my understanding that the employee now needs a note from a health care provider to support that absence?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Through you, Madam. Is the term "health care

provider" defined anywhere in this bill? Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. It's not defined in the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Madam Speaker.

Well, then, I guess for the purposes of legislative intent and history, I assume that "doctor" is okay, so I'll move -- a medical doctor, an M.D., so I'll move beyond that.

Would a note from a nurse meet the standard under Section B3?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. As it states in the bill on line 169, documentation signed by a health care provider who is treating the service worker.

If that's what the nurse is doing, I guess that would be sufficient.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Well, I guess that's really the crux of the issue then: What is a health care provider and what is not. Would a note from a chiropractor fit the definition as in line 169 and 170?

Through you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I would say it is.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Through you, Madam.

How about a faith healer? Would a faith healer work? Line 169 and 170?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski

REP. ZALASKI (81st):

Through you, Madam Speaker. I don't believe so.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban

REP. SHABAN (135th):

Through you, Madam. How about a Priest? If you got a note from your Priest that says I needed to talk to my Priest or my Rabbi or my Pastor because I felt that I needed to, would that -- would that fit the definition of health care provider under line 169 and line 170?

Through you.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I'll read again line 169: Documentation signed by a health care provider who is treating the service worker.

I don't believe a Priest would come under that.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Well, then, through you, Madam Speaker, for the population of folks in Connecticut who don't go to doctors pursuant to their religious beliefs, would they not be subject to protections of this bill?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Could you repeat that?

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Through you, Madam.

For the folks in the state of Connecticut who do not believe in going to medical doctors or doctors generally, as the term is generally understood, they believe in prayer for healing, would those individuals with that faith system not be eligible for participation in the protections under this bill?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I think Christian Science may be listed in the employment regulations under our statutes.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

If I could ask the gentleman to detail that out a little bit. Is it listed in this bill or somewhere else that Christian Scientists by virtue of having that faith would qualify as a health care provider under this or any other statute?

Through you.

REP. ZALASKI (81st):

Yes --

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Madam Speaker, through you. General Statutes, Volume 9, page 585 on number 6. If you would care to read it, you can.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Madam. I'll take a look at that. I'm not aware of that section, but I thank the gentleman for his answer, because if that's, in fact, the case, then that resolves that issue or at least part of it.

Moving on in the bill, through you, Madam, Section C starting at 178, and also in Section E, frankly, sort of to juxtapose the two of them,

mostly focus on Section E, 186 through 190, nothing in this -- nothing in Sections 2 and 6 inclusive shall be construed to prohibit an employer from taking disciplinary action for a service worker who used the paid sick leave for reasons not described in the bill.

Through you, Madam Speaker, how sick does one have to be to fall either under sick leave or under -- you know, sick enough or not sick enough such that the employer knows how to read Section E? Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. If under the bill he says he's sick, I guess he's sick. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

So, if the employee has a hang nail and he gets a note from his nurse that says, you know, John Shaban took today off because he had a hang nail and his toe hurt or his finger hurt, would that -- would that -- would that fit -- would that get me over the goal line here? Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I don't know if he's ever had a hang nail. I have, and boy, do they hurt, but I would never be out of work for three days. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban

REP. SHABAN (135th):

I thank the gentleman for his answer, and I believe him, because I believe the gentleman to be both a hard worker and a tough guy, but I guess -- I mean, I'm not asking the question to be a wise guy. I'm asking the question to illustrate a point that was made probably earlier to some degree, that how sick do you have to be to qualify under this bill? Because, you know, sick for myself or the gentleman may be a lot higher bar than sick for somebody else who just says: You know what? I've got a headache today; I've got to get a note from my Mom, the nurse, and I'm going to take a couple of days off.

Through you, Madam Speaker, in any of the Public Hearings was there ever discussion about what is sick enough to qualify under this act? Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Represent Zalaski

REP. ZALASKI (81st):

Madam Speaker, through you, I think you have to consider it in the context of, say, your son or daughter said she was sick. Would you, you know -- what degree sickness does your child have to have for you to want to run home and take care of her?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Well, that's an understandable sentiment, I being a father of three boys myself, but I'm really more focused on the individual, what the individual says: I don't feel like going to work today; I feel like I have a headache, I have a hang nail; I feel down; I don't feel good.

How sick does that individual have to be is my question, and to repeat the question -- again, not to belabor the point, but to try and define it -- was there any discussion at the Public Hearings about setting a standard about how sick someone has to be? Coupled with that, is there a standard in San Francisco?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I don't remember any discussion during the Public Hearings on that, and I don't know what the policy is in San Francisco, but I have traveled through San Francisco.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Madam Speaker.

Moving on to Section 4, line 191: nothing in Sections 2 to 6 inclusive of this act shall be construed, to, item 3, preempt or override the terms of any collective bargaining agreement effective prior to January 1, 2012.

Through you, Madam Speaker, if there is -- I just want to make sure I understand this. If there's a collective bargaining agreement in force prior to January 1st, 2012, that does not provide for all of the provisions of this bill, carrying over hours, what-not, that collective bargaining is not subject to the terms of this statute. Am I reading that correctly?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski

REP. ZALASKI (81st):

Through you, Madam Speaker. That is correct.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

Well, how about with respect to an employment contract? If there's an employment contract, simple employment contract, that was effective prior to January 1, 2012, that does not meet the standards outlined in this proposed bill, is that employment contract trumped by this bill, or does that get the same protection as a collective bargaining agreement?

Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Looking at the bill, I only see collective bargaining agreement.

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

So, essentially -- thank you, Madam. So, essentially, that contract would be rewritten or blue lined, some like to say, by the terms of this - - by the terms of the statute should it pass? Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. As I've said many times in these chambers, I'm not a lawyer and don't know what blue line means. Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Shaban.

REP. SHABAN (135th):

So -- thank you, Madam. So, the terms of that contract would yield to the terms of this bill. Is that correct? Through you, Madam.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Zalaski.

REP. ZALASKI (81st):

As I said, the only -- only collective bargaining agreements are covered under this. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Shaban.

REP. SHABAN (135th):

Well, thank you, Madam, and I thank the gentleman for his answers, and I don't intend to ask any more questions. I know the gentleman's been standing for a long time, so I give him the heads up.

You know, I proceeded through the questions about the forest, so when we -- I'm sorry -- the trees, so when we start talking about the forest, we kind of get a better understanding of the intricate landscape.

Let's back up. Let's look at this bill. Let's -- let's think about the answers that you've heard here.

One of my colleagues before was concerned about the arrogance of a government that thinks it has the right to go in and rewrite private contracts. Well, the soliloquy you've just heard shows that if you've got a private contract, if you have an employment contract that was negotiated in good faith, it's going to get trumped, it's going to get rewritten, it's going to get thrown out and yield to this bill.

What right do we have as a government to rewrite private contracts?

Well, guess what? We don't have that right. That's why there's a contracts clause in the state

and federal Constitution; that's why there's a due process clause in the state and federal Constitution; and, that's why there's equal protection clauses to a lesser degree in this context in the state and federal Constitution.

We do not have the right to rewrite private contracts. That is against the law. It has been against the law in this state and this country for hundreds of years. If you take away that contract right, the law is settled. That is a private property right. You're taking private property, Mr. Government, you have to compensate that employer for taking that property right.

That's an arcane point. The general point is we're rewriting people's contracts. This bill would rewrite essentially people's contracts.

That's insane. I mean, the role of government -- let's back up for a second.

Perhaps the biggest distinction between what the folks on this side of the room and some of the folks on that side of the room is when we don't always see eye to eye, I think, while we're all trying to get generally to the same place, we have a disagreement about what the role of government is to get you there.

The role of government in our system is to

promote a stable, predictable environment where people can take risks, make judgments, fail or succeed based on their own merits and their own hard work, and they can live and contract and move on with their lives with as minimal intervention by the government.

The government, this body, everything that's up here is societal overhead. Like any other business, like any other enterprise, you want to minimize overhead. We're not doing that.

I mean, let's just take a look at what we've done in this Chamber in the last couple of weeks. I stood up here, Madam Speaker, about a month ago, talking about the effect of the bills that we're passing are having on businesses.

We've raised taxes; we're raising regulations; we're raising fuel costs on our businesses; we're raising energy costs on our businesses. Well, those are three of the four main cost drivers that is a difference between a small and medium-size business staying in business or staying out of business, between hiring somebody and firing somebody, between hiring a full-time person or hiring a couple of part-time folks because they don't want to get over the 51 -- over the 50-man limit.

That's what we're doing here. Now, to finish

it off, after we've driven up every other cost driver for businesses in the state of Connecticut, we're going to finish it off. We're going to drive up your labor costs; we're going to drive up your wage and benefit cost by mandating what you and your employee, or from the other side, what you and your employer can agree to.

That's not -- A, that's not right; B, that's not legal; and, C, that's not productive.

Folks of this Chamber, think about what we're doing here. We're moving in the wrong direction. We are not promoting freedom. We are not promoting business. We are just piling on, piling on, piling on.

Not helpful. I cannot support this measure, and I think in your hearts of hearts, I hope you'll agree with me.

Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Would you care to remark further? Representative Wood of the 141st, you have the floor, whatever, Madam.

REP. WOOD (141st):

Thank you, Madam Speaker, and also good morning. I think I'm the first one to speak in the new day.

DEPUTY SPEAKER ORANGE:

Good morning.

REP. WOOD (141st):

And, thank you to Representative Zalaski for certainly answering all of our questions, and I have a few global questions to the proponent of the bill through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Please proceed, Madam.

REP. WOOD (141st):

Usually, when -- well, hopefully always when we write legislation in this esteemed place, it is for a very specific reason.

Can the proponent of the bill please tell me specifically are there specific companies that have driven writing this legislation? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker, we have had testimony from companies in the state of Connecticut. I have a list of them here that have asked us for this legislation. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Wood.

REP. WOOD (141st):

Thank you for that answer. Is that list publicly available? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes, it is. It's on the Website.

DEPUTY SPEAKER ORANGE:

Representative Wood.

REP. WOOD (141st):

Where would I find that on the Website? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. If you go to Bill Number 913 and go down, there's -- if you can get past all the amendments, there's a portion there where you can put down and get all of the written and verbal testimony from Public Hearings.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Wood.

REP. WOOD (141st):

Thank you. I do know there were more companies speaking against this legislation than there were for this legislation, so is it more people asking for this legislation than companies?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. There were many, many people that spoke to us for this legislation, but we have to remember. This is about giving people, workers, the right to take a sick day and be paid for it, but there were many companies. I have a list of about 14 businesses here.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Wood.

REP. WOOD (141st):

Thank you. I do -- I did see the statistic that I think it was 94 percent of companies in Fairfield County already provide paid sick leave, so I wonder why we're writing legislation for potentially six percent of the companies in this state.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I would guess that six percent of the people in her county need sick days. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Wood.

REP. WOOD (141st):

If someone is not happy working at a company that is not providing them paid sick days, what is to keep that person from leaving that company and finding another job in another company that is more friendly with paid sick days?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. It sounds like the same argument we had for smoking in restaurants because the workers would get sick; it sounds like the same argument we had for sexual harassment. Why can't they just sit there and be quiet; otherwise, they can go work somewhere else.

I just don't agree with either.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Wood.

REP. WOOD (141st):

I'm not sure I agree at all with the analogies, with all due respect.

I will repeat the question. It's very different from being harassed sexually, the question I'm asking you, so I will ask you the question again.

What is to keep these people from seeking employment elsewhere? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. And, I'll give you the same response as to smoking. They said the same -- it was the same argument we used -- the restaurants used to tell us that if somebody that works there doesn't like smoking, they could go work somewhere else. There are places where those are the only jobs you may be able to get.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Wood.

REP. WOOD (141st):

This is an enormous -- probably the biggest

bill we're going to be doing here this year outside of the budget, and what I hear mostly from my constituents is why so many laws, why so many bills, why so much government, big government mandates.

This is another large government mandate that isn't providing the freedoms that I think our government was founded on. I obviously will not be voting for this. I think one of my colleagues had a good quote. It's not allowing businesses the freedoms to set their own guidelines, and for people to decide what works for them and what doesn't work for them.

There will be more debate tonight. I do appreciate the Representative's answers. I appreciate your time. I will not be voting for this legislation. I just don't believe in this big government mandate, and I think we have to be very careful with all the government mandates we're putting on the citizens of this state.

Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, Representative Wood. Would you care to remark further? Representative Carpino.

REP. CARPINO (32nd):

Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Of the 32nd. Good evening. Good morning.

REP. CARPINO (32nd):

Good morning. I've listened to this debate intently for about eight hours, and many good, great questions have been asked, and the proponent has done a good job trying to answer all of them.

However, I'm concerned. I don't think -- and this is my personal opinion -- that we've gotten a very clear answer on some very important questions.

To spare the chamber, I'm not going to repeat them, but I think there are even more questions we haven't got an answer to.

Who is going to determine what an adverse decision is on a personnel question? Who's going to tell us what's going to happen when there are 50 employees, 30 salaried, 20 professional? Who's entitled to mandated sick leave? Is it 30? It is 20? Is it all of them?

There has been a lot of ambiguity tonight, and I have to tell you we've heard all of the bad things that are going to happen to businesses with this bill and the amendment if it's going to be passed, but there is a silver lining. This is going to be a boon for labor attorneys. This is -- this is going to be a field day. The ambiguity here is going to be horrifying for employers.

When we talk about employers, I'm talking about the people in at least my District, people who have jobs that they provide to my neighbors and to my citizens, that allow them to go out and work for an honest day's living, put food on the table, pay for their children's pediatrician visits, pay to take their family out for dinner.

If these -- if this amendment passes, it's going to affect everyday people because the businesses in my District, the ones who sent me this pile of paper -- and don't worry, Madam Speaker, I won't be reading them -- have pointed out some very specific problems, the ones we've already heard about, but ones that are a little more particular. They don't even know how they're going to account for this bookkeeping. They don't have hardware; they don't have software; they don't know if they're going to have to track hour to hour, half day to full day. They're not going to be able to manage it.

They've already told me -- as I'm sure you all heard -- they're not going to expand here in Connecticut; they're not going to hire anybody. Some are even offering to do what we've already heard. They're going to take two full-time employees and make them four part-time so they don't

meet that threshold.

We can't afford for this to happen in Connecticut and, frankly, I think it would be disingenuous of me personally to vote for this when we stood and I knocked on thousands of doors in my community and said that I was going to do what I could to keep Connecticut open for business and prosperous.

So, Madam Speaker, with all due respect, I cannot support this amendment.

DEPUTY SPEAKER ORANGE:

Thank you, Madam. Would you care to remark?  
Representative Rebimbas.

REP. REBIMBAS (70th):

Good morning, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Good morning.

REP. REBIMBAS (70th):

Madam Speaker, just so there's not any confusion, I just want to make it clear that I do rise in opposition to this amendment, which is a mandate on municipalities, just in case there is any confusion there.

But, I do want to highlight the fact that there's no question about it, that this is one more mandate on businesses, and this mandate, this

amendment, includes our municipalities, so this is one additional on top of the many that we have already passed through these chambers of the hardship that the businesses in the state of Connecticut are going to face, that the municipalities in which we all live now are faced with, and that to me is highly, highly concerning.

There's been some comments made earlier and then counter-comments saying, oh, that's not true, that can't be the case where it was mentioned that businesses could leave the state of Connecticut as a result of the passage of this amendment. Don't take it lightly.

I'm going to wear my business hat now and say that as a business owner, you have to look at where you can do business, and there is no confusion here that the businesses in the state of Connecticut who are already either considering a move, this will push them out.

Those businesses that are struggling, holding on to every possibility of maintaining a business in the state of Connecticut, this is one more factor to push 'em right out.

So much for that so-called bill that was passed about job growth. I don't recall having seen paid sick leave in that bill that we said is going to

create jobs in Connecticut. There's a reason for that. It's not going to.

We need to be very sensitive and recognize all of these factors. Again, there's no question about it. The intent is good. Do we want people to go to jobs, to their jobs on a daily basis sick? Of course, we don't. No one with common sense wants that, but what we are doing is mandating a financial responsibility that we have no idea whether or not these businesses can even afford it.

Another thing going back to that job growth bill, so these businesses that we are looking forward to being able to bring into the state of Connecticut, what do we have to show for it, for ourselves in bringing them into the state? That we will be passing a law that the state of Connecticut is the first, the one, the only, to mandate, mandate, not suggest, but mandate that there's paid sick leave.

I don't know any business that would rush to a state that has on top of all the other business mandates -- and let's not be mistaken here; we already have the title of the most non-business friendly state in the United States -- this is just one more factor in that laundry list of factors.

We are not now losing businesses, as it was

previously mentioned, to Virginia, to the Carolinas, or to any of the other southern states that's less expensive to do business, more business friendly. We're now losing it to our neighbors, our neighboring states. We are far from being competitive from our own neighbors, and this is just one more example to that.

Many of the bills that we passed, as I highlighted earlier, are bad business bills. This is one more, unfortunately, in that case.

One of the other things that I want to -- and through you, Madam Speaker -- for clarification purposes, because I guess even after all of these hours of debate either I missed it or I just -- I didn't understand it quite clearly -- but through you, Madam Speaker, can the proponent of the bill explain to me whether an employee that works for a company that employs less than 50 people is any less valuable, who is not protected under this bill, than an employee who's employed at a company with 50 or more employees?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Yes. Good morning, and before I answer that

question, I think everybody that's dressed down should pay another five dollars.

No. I'll tell you -- yes on the five dollars. I mean no on the -- no worker is less valuable than another worker. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madam Speaker.

As a follow-up to that question, Madam Speaker, could the proponent of the bill then explain to me why it is that we're making a distinction between those employees who are employed by corporations less than 49 employees versus more than under this bill? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

As was stated earlier tonight, it was a decision made by many different parties. It was a culmination of an agreement between many different parties, and that's what we came up with, 50.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madam Speaker, and I understand that everything we do does involve decisions being made by different parties and different persons within this Chamber as well as upstairs in the Senate, but I need to understand the rationale. Why was the number chosen that it would be 49 or less employees in any company not protected under this bill, or that we would require companies with 50 or more employees to mandate a paid sick leave?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I'm not sure I could answer that, but I could tell you firsthand that if next year you want to get together with me and lower the threshold, I would be more than happy to work with you on that bill. Thank you.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madam Speaker. And, Madam Speaker, just in response to that, I would absolutely love to work with the proponent on this bill in the sense of making it a good business bill, because we have good

businesses that do not require these mandates.

My concern, Madam Speaker, is that -- and it's been highlighted before -- under the equal protection right of the Constitution, we should not, we cannot, make a distinction between people all because they happen to be employed in companies with either more employees or less employees because essentially what we're saying is those of you who work anywhere that the company does not have 50 employees or more, you are not equally protected under this law; you do not have the same rights as your fellow employees who happen to work at a company with more than 50 people.

That to me, Madam Speaker, is highly offensive, and I'm going to share a personal story.

It wasn't too long ago, early on when I first was honored to be elected to serve the 70th District here up at the Capitol as the Naugatuck State Representative, I was targeted by a particular organization. The organization was the Working Families.

I thought, Madam Speaker, maybe naively of myself, that I would actually be a supporter and a member of the Working Families because my family. I have known no other life but work. My parents have worked; my mother still works; she has to in order

to afford the cost of living in the state of Connecticut. I work; my husband works. Thank goodness, we have -- we're healthy and we can work, but what happens was there was a group of people throughout Naugatuck knocking on doors, making misrepresentations that I, because I spoke out against basically the first time it came out, was against the working person.

Madam Speaker, for clarification purposes, because I responded to over 100 phone calls, phone calls that were made not by my constituents that took it upon themselves to pick up the phone and call, but those individuals that knocked on the door had their own cell phones and asked the people to make those phone calls based on the misinformation, misinformation that was provided to them at their doorstep.

I am for the working family; I am the working family; and, after speaking and returning each and every phone call, not one person, not one, disagreed with me because I informed them of exactly what that bill at that time was doing, and I will inform them, as I hope that I'm doing here today and that all my colleagues have on both sides of the aisle, the imperfections, inequalities, the misplaced good intent, the ramifications that this bill will have

on the state of Connecticut, on the economy and, quite frankly, on the working families because it is an injustice that we're doing.

Also, earlier today, there were comments made that individuals who work in restaurants, they're not going to leave the state, these employees are not going to go somewhere else and work, have no fear, and they may be right. Those employees may not be leaving the state. Those employers may also not be leaving the state to go open a restaurant somewhere else. But, what's going on with those employers -- and we had testimony from an owner of a restaurant -- is that they're shutting down, they're closing down.

I said this before in this Chamber: Walk on your main streets, walk through your towns. We have businesses that are closing down. We have businesses that are struggling. We should not be passing further legislation that makes it difficult for a business owner to have a business in the state of Connecticut because then it's just going to affect the working person.

The other thing I want to highlight, Madam Speaker, that this bill does, which I thought was very informative when I returned all those phone calls last time -- and I can assure you I certainly

did not get any of the volume even close to in support of this bill. To the contrary, right now, unless I haven't been provided with it, I may have gotten less than a handful, and certainly again represented the same statements, and no one disagreed with me, but what I did was get a lot of the business phone calls indicating please, begging, please not to pass this, and it's not because they don't care about their employees.

So, Madam Speaker, I think it's important that we highlight that I actually even saw on commercials that this is the bill that's going to prevent sick people from cooking in restaurants, this is the bill that's going to prevent sick teachers from handling our children, this is the bill that's going to prevent our children and loved ones to be exposed to sicknesses because people are forced to work.

That is not the case. What this bill is doing is allowing certain individuals to take the option of taking a paid sick day off. This doesn't mandate the person to check in or the employer to check the person when you're going to report to work whether or not you're sick. If you're still sick and you don't want to take your paid sick day off, you're still going to go to work sick.

The other further thing when it comes to this -

- and I think it's important to highlight -- that as I read through this, there's a laundry list of companies or positions, positions, service workers, that are identified here, and very important ones such as food service managers, social workers, physician assistants, registered nurses, doctors, nurse midwives, dental hygienists, all people who have direct contact with individuals. But, guess what? If they work at an office, at a firm, at a company with less than 50 employees, everyone is still exposed to it, everyone is still exposed to it.

So, when we go back and we reiterate all the wonderful reasons why we're passing this legislation, we're not doing it any justice whatsoever, and I'm not saying, Madam Speaker, that we should then extend it to all because here's the reality of it. Any good employee is not going to be fired because they've asked for five days off because they're ill or a loved one needs them. No smart employer would let a good employee go for that reason. You're going to get fired because of five sick days out of the entire year? That's ludicrous.

A good employer wouldn't be doing business, wouldn't be in the business of doing business if that was the case. I don't know how an employer

would be able to do business if they let go of good employees for that reason.

Madam Speaker, through you for also another further clarification on the bill to the proponent of the bill?

DEPUTY SPEAKER ORANGE:

Please proceed.

REP. REBIMBAS (70th):

Is there any exception in this bill for an employer who has to pay or pays, because they have to to run their business, a replacement for that person who chooses to exercise a paid said day?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. No.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madam Speaker, and I want to thank the gentleman for that response.

That's highly concerning to me because for many businesses that continue to conduct businesses may actually have to now not only pay for the paid sick day for the person who is not at work, but now they

have to pay for that replacement, and that happens so often, and I'll give you the example of our municipalities. It happens when you have to hire a substitute teacher, so now you're burdened with two payments.

It's also going to affect, unfortunately, the possibility of a company having hired someone through a temporary agency. Now they can't afford it. Now they have to pay the person who is temporarily hired, and they also have to pay the person who is home sick, unfortunately.

This bill essentially is going to affect 92,000 Connecticut businesses. This is not something that we should be taking lightly. And, through you, Madam Speaker, to the proponent of the bill, I just want a clarification.

In the bill, it's written that it would qualify under this paid sick leave bill if a person had to attend court proceedings, and I believe it's described as civil or criminal proceedings related to or resulting from such family violence or sexual assault.

Through you, Madam Speaker, why wasn't it narrowly tailored to incorporate only that type of court proceeding?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I believe that part of the reason it was tailored like that is because this bill, paid sick days, really seems to go more as the -- I forget what the title is for the women in the state. The Permanent Commission on Women I guess, right, has said that most of the people that we're addressing are women, and I think that's why that was in that part of the bill.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madam Speaker.

Madam Speaker, through you to the proponent of the bill, if the purpose of the bill is predominantly to address women in the state, if I can have further clarification because I'm confused by that response.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. The bill is about

-- that portion of the bill is about family violence. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madam Speaker.

Madam Speaker, through you to the proponent of the bill, is the proponent indicating that women are the perpetrators of family violence? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I'm sure it goes both ways. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madam Speaker.

Madam Speaker, through you to the proponent of the bill, understanding then that the response was that family violence can be both ways, but I believe the response earlier was that this bill was predominantly or a majority for women.

I need clarification on that through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. As I said when the Commission on -- Permanent Commission on Women came and spoke, they said many of those workers are women, many of them single parents.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madam Speaker.

Madam Speaker, I'm not exactly sure -- and I won't bother the gentleman from clarifying further -- I'm not exactly sure what the rationale there is, but for we don't have a commission on men in the state of Connecticut.

So, as I stand here, I'm not exactly sure if I should be offended or not that there's a national commission out there that believes that a paid sick leave is being targeted predominantly for women. Quite frankly, again, I thought we were in the United States of America where we have equal protection of rights for men and women, but I'll move on further.

And, my highlighting that, regarding the court

proceedings, is that this isn't just your typical paid sick leave bill. This isn't Mom or Dad get sick or a child gets sick. This goes much further, and I would submit to you, Madam Speaker, that there's many other proceedings that probably would just as well be important here. If a family member is facing eviction and has to go to court to defend themselves because they may not have shelter, if a family member is facing a foreclosure action may have to go to court because, again, there might not be a home to go back to for themselves and their children, that there's many other reasons to carve out once again a specific court proceeding that's been identified that this is what the commission on women suggested, quite frankly, I don't know if I should say surprises me. I'm confused by it.

This is -- this is the injustice that we see in this bill. There's carve-outs with no rational explanation: but for certain decision makers, but for certain interest groups.

Madam Speaker, I'm just going to go back to just highlighting for those in the Chamber that may not be business owners, because I think that there's a certain appreciation for an employer which although, and just for the record, I do not have 50 employees or more, so currently under this bill I'm

not affected. My concern is the future, that may also change. With as much as we've voted this bill down in the past, it keeps coming back over and over again.

But, let me tell you what's taken into consideration as a business owner. A good, responsible business owner looks out for their employees, and sometimes goes without paying themselves to pay their employees. So, before I actually highlight some of the points I want to make of the stresses of the business owner, through you, Madam Speaker, to the proponent of the bill, is there any distinction in this bill for an employer, a company, that's actually making a profit or a company that's struggling?

Through you, Madam Speaker.

DEP.U

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I don't believe so.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

Thank you, Madam Speaker.

Madam Speaker, is there any distinction -- to

the proponent of the bill, is there any distinction for a company that is currently in bankruptcy proceedings, are they exempt from this bill if they have 50 employees or more?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. No.

DEPUTY SPEAKER ORANGE:

Representative Rebimbas.

REP. REBIMBAS (70th):

What message are we sending, what message? If you're a struggling company, one more financial mandate. Close your doors. Close your doors.

We pay sick leaves, but we don't need jobs in the state of Connecticut. We make no distinction between a company that's in bankruptcy, that's struggling, or a trillion-dollar company, no distinction, but we make distinctions if you have 50 employees or less. We make distinctions of possibility a specific court proceeding that caters to women. That was my understanding. I hope I'm not misrepresenting, but that was certainly my understanding of the response.

Let me tell you what a business owner in the

state of Connecticut is faced with. These are the things that we have to take into consideration every day to keep our employees employed: business entity tax, corporate surcharge which just recently was raised, income taxes, payroll expenses, meeting payroll, personal property tax, electrical bill -- just a side note, we're the highest state for electrical rates -- office supplies, licensing fees, rent or mortgage, phone bills, Internet service bills, business membership fees, business insurance, Worker's Compensation, maintenance of the equipment or repairs in order to keep the business in operation, medical insurance, paying for an accountant or a bookkeeper, advertising and promotions if you actually want to keep your doors open and keep the people coming and keep your employees employed.

This is the reality of businesses. It's much too easy to pass legislation and say all businesses should have paid sick leave days, and some may, but those who don't, we need to take a step back and ask why, why have they made the decision not to have it.

I doubt it's because the employer or the company is not trying to be a good business in the state of Connecticut, and we take no consideration for that, absolutely none.

So, as we pass legislation about children and recession, growing jobs in the state of Connecticut, I submit once again that what we need to do is go back to common sense. Common sense dictates if you're sick and you come into contact with the public, you respectfully do not go to work, you respectfully not have contact with people. I mean, this bill goes as far as crossing guards. What contact? Potentially none with anyone. Security guards. What contact with people? Potentially none. But, once again, once again, that waitress, that cook in a restaurant, that teacher, anyone under the 50 employees or less, they're perfectly fine to go into work sick, and this bill does not affect that, does not affect them whatsoever.

So, I just want to make sure that the people in the state of Connecticut truly know the bill so then when they contact their Representatives and their Senators they can stay informed whether or not they supported their vote. They need to know what that vote is. They need to know what the amendment is. They need to know what we are doing here in the state of Connecticut and how that affects jobs, how that affects their lives and their futures.

So, Madam Speaker, I thank you for the opportunity to have spoken on this amendment, and I

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certainly want to thank the gentleman for his long, tireless, long hours of responding to all of these responses, and I do appreciate that because I do think that at least what we're doing is a service in informing the residents of the state of Connecticut exactly what is in this legislation.

Thank you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Thank you, Madam. Would you care to remark, Representative Ackert.

REP. ACKERT (8th):

Thank you, Madam Speaker.

Representative Rebimbas just went through a whole list of things that I was going to say, so we can cut off some of those. They may look exactly the same, but -- so, I'll make it a little shorter.

I'm one of those guys and individuals that makes payroll every Friday, meaning that I have a business, and recently, like many business owners, you take and evaluate your costs so that you can appropriately charge your customers.

Part of that deals with some of the things that Representative Rebimbas mentioned, and, you know, Workman's Comp and vehicle charges, gas prices, the dumpster charge, office rents, taxes, and, of course, what you provide or what your employees

earn, their pay and their benefits, and I like to use the word "earn."

A quick analysis of what we have to pay out, you then can set the charges to your consumers, so as you calculate that all and, hopefully, that you can make margins that will keep your company in business and in some way pay the boss, because the boss has a wife and a family and bills, also, to pay, just like their workers do.

We keep using this classification as bad for business, that this bill is bad for business. I do say that it is bad for business, but I think there are others that we need to look at. I think it's bad for consumers of those businesses.

If you've recently gone to grocery stores, you've recently purchased something from, you know, a hardware store, I don't think of anything recently that's been going down. I mentioned the dumpster charges. With the gas fees now, if you have a dumpster at a business, that actually increased the charges because of a fuel surcharge.

The electrical equipment that I buy that I install in people's houses is skyrocketing. The guys that jump in the vans, we try to find every way to save money on trips with the vans. I can't use Toyota Priuses to run my electrical equipment back

and forth, so I have vans that have gas.

They have, obviously, a pay and they would love to get a raise.

But, each time you incur a cost in a business - - and this does have a cost to a business -- that you have to either increase your costs to your consumer, and if you are, obviously, a little higher than the guy next door or lady next door, you don't get that business.

Along with being bad for consumers, it's also bad for the employees not on the days they're getting sick days, but it also is bad if you have tried to increase maybe a paycheck, and many businesses -- especially in the field that I'm in, which is construction, and the state, as you know, is extremely dismal. We talk about unemployment rates in the state of Connecticut, and both union and non-union shops in construction are anywhere from 20 to 35 percent unemployed. It's not seven or nine, and that's in both open and private shops and union shops.

But, when you're trying to make that margin in your business so that you can keep the doors open, sometimes you have benefits, and in many cases that the employee earns goes up. Earlier mentioned was health care costs, and some companies pay full

health care costs, some companies require a sharing with the -- with the employee in those benefits. They may get some time off, holidays and/or vacation time, but all of that is figured into their benefits.

As you increase, as you now add, you have -- you have to figure this in ahead of time. You can't say, well, we'll decide if they're going to use them or not. In business, you have to market that out and say I've got to figure that into the cost of my charges to my consumer and what I can pay my employee.

So, if I look at what this is going to impact in their pay or in my cost to the company and what I can pay them and/or provide other benefits to them, in some way you have to factor that in. If I can't go up in rates in my business or I can't sell my product for more money, if I can't charge enough for my meal when I go out, when I have a restaurant, in some way, whether it be a loss of raise or additional amount of contributions on a medical side, in some way it impacts the employee negatively.

They may not want five days off, but you have to factor that in for (inaudible). You have to factor that in when you do your analysis of your

business.

Through you, Madam Speaker, I have just a couple of hopefully easy questions for the good Chair. We do know -- and I believe this is true, and bartenders and wait staff don't get paid minimum wage, but through this bill, the business, the restaurant and/or bar, would have to factor in in their calculations I believe the minimum charge, the minimum state wage, which is eight and a quarter.

Through you, Madam Speaker, is that correct?

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes, that is true.

DEPUTY SPEAKER ORANGE:

Representative Ackert.

REP. ACKERT (8th):

Thank you to the good gentleman.

Through you, Madam Speaker. If by chance the service group is working on a job that pays -- that they normally would have -- that the company would normally not have to use prevailing wage and they have a standard fee, and if their -- the job that they're on now, which is a service job, is now -- or service field -- is now in a prevailing wage and it is more dollars than they normally charge, they

normally would pay, just really picking me in the electrical field, if the electrician gets paid \$28 an hour and the prevailing wage, it's \$35 an hour, if they were on that job and they called in sick while working on that job, at what rate would they have to pay that employee?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes. Line 134 I think covers it, 133 through 13t: Normal hourly wage shall mean the average hourly wage of the service worker in the pay period prior to the one in which the service worker used paid sick leave.

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Ackert.

REP. ACKERT (8th):

Thank you, Madam Speaker, and thank you to the good gentleman.

So, if a prior -- prior week they were on the prevailing wage job, which would be that prior pay scale, the prior pay week, then that would be the amount that they would be charged for that week that they called out sick?

Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I'm having a problem understanding where you're getting prevailing wage out of this whole thing. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Ackert.

REP. ACKERT (8th):

Thank you, Madam Speaker. It's -- maybe I should back up a little bit. I'm imagining a lot of the jobs that are service, electrical, electricians, providing work on -- in buildings, and plumbers, they would also fall under this if I'm not mistaken, right, for clarification, Madam Speaker, through you?

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I don't see them listed under service workers. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Ackert.

REP. ACKERT (8th):

Thank you for the clarification. I appreciate that, sir.

So, the reason why I'm getting at this, I'm just trying to get a scale. If they're calling out sick and not all of the times do they work the full year at one pay scale, they'll work six months at a regular scale, electricians get paid for open shops at one scale, but for prevailing wage jobs that are under the municipalities and/or state, they get paid a completely different rate, typically in most cases substantially more than they would get paid on their normal work -- their normal work pay, and I thought up the average electrician makes about \$20 an hour, plumbers and/or HVAC gentlemen about the same. On prevailing wage, they start out at about \$35 an hour.

So, I was wondering if they called in sick, it sounds like -- and I believe it's just a yes or no -- that they would get paid at what rate they were getting paid the week prior rather than their standard pay week if they're calling out sick.

If you're on a prevailing wage job, you're on the job doing electrical work, you get paid for that prevailing wage amount, \$35 let's say. If you're not working on that job, you get paid at your normal

pay rate, which I've mentioned it could be \$28 an hour. If they call in sick, they would get paid on that job the prevailing wage pay because that was what was paid prior in that week, the larger amount.

It's through you, Madam Speaker, and I hope I've clarified it a little bit, Representative. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. With all due respect, you haven't cleared it up at all, and the reason I say that is because prevailing wage has nothing to do with this bill.

Electrical workers I don't really believe are under this bill.

REP. ACKERT (8th):

Oh, I'm sorry. I thought that you said it was, Representative. I apologize. Thank you, sir.

REP. ZALASKI (81st):

I apologize if I didn't make myself clear a few minutes ago.

REP. ACKERT (8th):

That's quite all right.

DEP.U

Representative Ackert.

REP. ACKERT (8th):

Thank you, Madam Speaker, and I apologize for the confusion there.

I'm just going to make one -- I guess I do have one more question. I apologize.

Representative Hennessey made an excellent comment on this, and the reason why I ask Representative Hennessey, one of the questions mentioned that the company actually didn't need to actually pay for this in full. He mentioned that the company could pay in part and ask the employee to put money into a pool that they could then pull out of for their pay day, their paycheck, and when asked, it had mentioned that it was not in the bill that that would be incorrect or that they could not do that, it was answered that yes, that is possible.

Through you, Madam Speaker. So, is it true to the proponent of the bill, if I'm providing a benefit that is (inaudible), I would think the business would actually have to pay the full boat on it, not be allowed to from the pool money collect a portion of it -- like the medical that he mentioned, Representative Hennessey mentioned -- where you share the cost.

Through you, Madam Speaker. Can the company do that? Can they ask for the money to pay for the

paid sick days and put it in a pool rather than pay it out of their own pocket? Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. No. What I thought Representative Hennessey was talking about is people that were under the 50, for other ways for people to get sick days if it wasn't mandated. Through you, Madam Speaker.

DEPUTY SPEAKER ORANGE:

Representative Ackert.

REP. ACKERT (8th):

Very good point. Thank you for that answer, to the good gentleman.

I'll close just by saying each of us that works, we earn the pay that we make. I mean, we earn that. If I want a better job or if I want to get, you know, advance myself, I might get some education. I work hard; I pay for my education; I get a better job.

Now, if I'm in the trades, I go to school, I learn a trade, and I get a job. If by chance I have a good employer and he says you know what? I also provide health care. It's an opportunity for you to

earn that health care.

I believe this is the same thing, that we -- that you work hard, you earn a good wage, you earn benefits, and you earn days off. They're not entitlements. They're benefits that you work hard for.

So, I thank you, Madam Speaker, and I thank the good gentleman for his help. Thank you.

DEPUTY SPEAKER ORANGE:

Thank you, sir. Do you care to remark further? Representative Smith.

REP. SMITH (108th):

Madam Speaker --

DEPUTY SPEAKER ARESIMOWICZ:

Representative Thompson, for what purpose do you rise?

REP. THOMPSON (13th):

My light was on. I have been waiting to speak, and I thought nobody was being recognized, so I've been told that somebody else on the (inaudible). I will sit down and hope that I will be recognized after whoever is ahead of me. Thank you.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you, Representative Thompson. Representative Smith.

REP. SMITH (108th):

Good morning, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Good morning, sir.

REP. SMITH (108th):

You know, sometimes when I drive up to the Capitol, just to get a little diversion from the everyday struggles and stress, I listen to sports talk shows, and there's one show, it's on Sirius Radio, and it's run by Christopher Mad Dog Russo, and he has this little phrase that he says every now and then to whoever is out there in Radio Land: Is anybody alive out there?

VOICES: Whew! Yeah!

REP. SMITH (108th):

All right. That's what he says, and the reason I bring that up at this point, well, it's obviously late or early in the morning, and we've been here a long time, and I'm sure all of us could use a little sleep, but I raise that little phrase because what's happening here tonight, even though this has gone on a number of hours, is that what's being said here tonight is very significant. The points that are being made over and over and over again are so strong that I hope that there are people alive out there who are listening to what's being said.

I know the good Representative has been

answering questions for hours on end, and I've been trying to listen to the questions and the answers so I do not repeat them, but I'm going to apologize in advance because I'm sure there are some that are on my list here that have been asked and have been answered, but I missed them. There are some on my list that have been asked and answered that I crossed out so as not to bore the Chamber with more repetition.

But, if I may through you, Madam Speaker, I would like to pose some questions to the proponent of the amendment.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski, prepare yourself.  
Please proceed, Representative Smith.

REP. SMITH (108th):

Thank you, ma'am.

Representative Zalaski, would you agree with me that the state of Connecticut is in a recession?  
Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Judging by where I work, I would say no, but maybe it is through many other parts of the state.  
Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam. Would you agree with me that many employers are struggling to stay in business? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Not being a business owner, I really couldn't completely answer that. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam. You're not aware of any businesses struggling? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Not personally. I mean, I've got the same e-mails that everybody else did, but do I know firsthand? No, I do not. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam.

Representative Zalaski, would you agree with me that Connecticut now has one of the highest unemployment rates that it's seen in a number of years? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I would guess that to be true, except for maybe '08. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam. And, would you agree with me that Connecticut has had zero job growth since approximately 1990? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

I've heard that many times tonight, but I do not know it firsthand. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam. You agree, don't you, that if the bill becomes law, that employers' costs of doing business will increase? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I agree that there will be a slight increase in costs, but I think that could be made up through productivity and low turn-over. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

But, there will be an increase in costs. Is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Again, through you, Madam Speaker, I do think there's a small increase in costs, but I also believe there could be increases by productivity and low turn-over.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Through you, Madam Speaker. Do you believe that adding costs to an employer's payroll during this recession is good for business?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Could you -- I'm sorry. I didn't quite completely hear that.

DEPUTY SPEAKER ARESIMOWICZ:

Would you mind repeating, Representative Smith?

REP. SMITH (108th):

Absolutely. Through you, Madam Speaker. Do you believe that adding costs to an employer's payroll during this recession is good for business?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Well, as I said before, a slight increase in this paid sick days could lead to higher productivity and less turn-over. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

I just want to make sure I understand the gentleman's answer. You believe that adding costs to an employer's payroll during a recession is good for business. Is that how I understand your answer? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

No. I'll explain it like this. In my factory when I started there 33 years ago, there were 600 people working there. We now have 112 through increases in productivity. We send the same amount of money out the door and make the same amount of money with a lot less people. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

I'm not sure that I understood that answer and how it applies, but I'll just ask it one more time. I think I got an answer, but I'm not sure because there are two different things.

So, through you, Madam Speaker, if we add costs to an employer whose company is struggling, who's having a difficult time making payroll, and we add costs to that, is that good for business? Through

you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

As in manufacturing and any business, sometimes you have to spend money to make money. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

So, it's your belief that that would be good for business. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

I repeat again: What I believe is that sometimes you have to spend money to increase productivity. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam.

I'm going to jump over to the amendment, if I may, and we look at line 246. If the gentleman would look at that, and if we also look at the lines

264 and 265, if the gentleman can ask -- answer, what is the difference between the phraseology in 246 and 247 and the phraseology in 264 and 265?

Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker, it looks like the sentences are the same.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you. I'm just wondering if the gentleman can tell me why we have that twice in this bill.

Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski

REP. ZALASKI (81st):

Through you, Madam Speaker. Because it's two separate sections of the bill. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And, I do see that. So Section D is applying to Section 5. Is that correct? Through you, Madam

Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I would say that D is under 5, so yes, it would be, and Section 6 has its own sentence. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And, I didn't see in Sections 1, 2, 3 or 4 any of this other language here, that the Labor Commissioner shall administer this section with available appropriations.

Is there a reason it was left out through Sections 1 through 4? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I would say because we didn't need it there. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

I apologize. I didn't hear his answer. Could he repeat it?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Yes, Madam Speaker. I know that the night's getting late; we can't hear, nor can I speak that well; but, I would say because it wasn't needed in those other sections. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam. And, thank you for repeating that.

I'm going to jump over to -- well, it's the second page of the sheet I have here. It's around the definition sections.

I know it was asked earlier whether municipalities applied to this bill, and I think your answer was no -- I'm sorry -- I think your answer was yes. Is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And, I would assume that the state of Connecticut would also be encompassed by this bill. Is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. Yes.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And, do we know what cost this will result in to the state of Connecticut as a result of this bill? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. The fiscal note is inside the bill, you know. Have you looked at the fiscal note? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

I apologize. I have not, but if you have it, it would be great to hear it. Thank you.

Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Yes. It says here that in Note 12 there will be nothing to the Labor Department and, of course, nothing to the Comptrollers, various state agencies see below, potential minimal.

Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam Speaker. And, is that the result of the bargaining agreements that are in place currently with the state of Connecticut?

Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I would say so.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam Speaker. And, if the state of Connecticut were a private employer, those numbers, obviously, would be a lot higher. Through you, Madam Speaker. Is that correct?

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker, I would only be able to guess. Yes.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you. You know, I was in the other room when this question was asked, and I did not hear the answer, so I think this is one of those questions you may have answered, so I will apologize again in advance.

But, it talks about a nationally chartered organization as being exempt under this act, and I think the good gentleman answered what a nationally chartered organization is, but I failed to hear it. I was just wondering if I could have that answer at this time. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Yes. I'd be glad to answer again for the fifth time.

The term can be taken as either a descriptive one of one addressing a congressionally chartered organization recognized by an act of Congress. Local YMCA's are local organizations that receive their charter from a national organization, YMCA's of the U.S.A.

Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you for that answer, and I apologize for your having to go through the fifth time of that. I'm hopeful that will be the last. We never know.

Based on that answer, I'm just wondering, then, if it's not nationally chartered, such as a church who may be a non-profit organization but does not have a national charter, that organization as I described it would not be exempted under this act. Is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I would say you are correct.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam. And besides the Y's you talked about earlier this evening, are you aware of any other 501c3 organizations that are qualified or exempted under this act? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I think we have talked during the debate about maybe the Red Cross, Boys' Clubs, Boys' and Girls' Clubs of America may be examples of congressionally chartered national organizations. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And, thank you for that answer, and those organizations, those additional organizations that you just referred to, would they qualify under this act as having complied with the recreational, child care and educational elements of this bill? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. As is stated in the bill, they have to cover recreation, child care and education. All three have to fit. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Yes, and I realize that and thank you for your answer. My question then is these other organizations, the Boys' Club and the few others that you mentioned, would they qualify based on that definition? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. If they fit the definition, I would imagine so. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And, correspondingly, if they did not fit it, they would not qualify. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I would say that is correct, also.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, Madam Speaker. In looking over at Section 2 then at this point, what is the maximum number of sick days one can earn during a calendar year? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. You get one hour for every 40 hours up to a maximum of five days, which is 40 hours. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you, and thanks for that answer, and then in line 106, is the 40 hours that's referred to in that line based on a five-day work week, or some other? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. It could be based on any hours. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And, if the employee works 80 hours a week all year long, as I understand the gentleman's answer, the most that can be earned in terms of sick day credit would be five days. Is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. That is correct.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

And, thank you again for that answer, and I'm looking at line 107 now starting with the words, "But no services -- but no service worker," that phrase there. I've read it a number of different times, and it's probably because it's late and we're all a little tired.

I just can't seem to figure out how that applies or what it means, and if the good gentleman

could explain that to me. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Yes, I'd be happy to, Madam Speaker, through you. It means you cannot use over five in any calendar year. Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you for that answer and that clarification.

I'm going to skip now to lines 120 to 126, and I'm actually looking at line 124 starting with the word, "For," and, "For the purposes of this subsection, other paid leave may include but not be limited to paid vacation, personal days or paid time off."

Now, I'm reading this section, and I just want to make sure my analysis of it is correct that if an employer offers five days of paid vacation during a calendar year, then they would not have to pay sick days pursuant to this section. Is that correct?

Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. As long as they could use them like they could sick days. In other words, they could use them one hour at a time if they had to run to a doctor to have a doctor's appointment for them or their child, then as long as you're compliant in that manner, yes.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Again, just so I'm -- I heard the answer and I understand the answer, but just to be clear on it then, if the employer tells the employee at the start of the employment that we have a policy that will allow you to take up to five days a year and you can use the five days any way you wish, one hour at a time, five days in a row, three days, long weekends, half a day, whatever it may be, as long as you use only five days, then that employer would be in compliance with this subsection. Is that correct? Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. I would say that

is correct.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Smith.

REP. SMITH (108th):

Thank you. And, I also -- it must be my day for it, but I'm getting stuck on the language in 139. Although it seems clearly obvious, it says, "The following pay period," and my question to the good gentleman is, is it really the following pay period, or could it be used some other time, you know, two weeks later, four weeks later, as long as there was an agreement with the employer?

Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Madam Speaker. It's -- the line 139 speaks for itself. It says, "Additional hours of the shift during the same or following pay period." Through you, Madam Speaker.

DEPUTY SPEAKER ARESIMOWICZ:

Representative Zalaski, did you just answer that?

REP. ZALASKI (81st):

Yes, Madam Speaker, through you.

DEPUTY SPEAKER ARESIMOWICZ:

Thank you. It must be early in the morning.

Representative Smith.

REP. SMITH (108th):

I may have to repeat. Is anybody alive out there? Okay. All right. It went over better the first time. Okay.

We're going to shift now a little bit to lines 147 -- or actually 148, the Section 2 there, and per that section as I read it, an employer can use -- an employee can use a sick day if the worker's child or a spouse has an illness, injury or health condition. Is that correct? Through you, Madam Speaker.

SPEAKER DONOVAN:

Changed up on you. Mr. Speaker.

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. It looks like you read it word for word, so I would gather that that is correct by the reading of the bill. Through you, Madam -- Mr. Speaker.

SPEAKER DONOVAN:

All right. Now we should be clear.

Representative Smith.

REP. SMITH (108th):

I thought I had a transgender moment, but I guess I did not.

I'm looking at Section 3, line 153, and again an employee can use a paid sick day if a service worker is a victim of family violence or sexual assault. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Again -- Mr. Speaker, good to see you up there.

Yes. It looks like you've read it word for word, so I would gather that that is correct. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

Thank you, Mr. Speaker. So, if -- I'm going to run this scenario by you and see if this applies.

You have a domestic violence dispute, a husband beats up his wife, the wife needs medical care and treatment, so I guess under Section 3, then she would then be able to stay home and take a sick leave for that purpose. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I would gather that is correct.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

Thank you. Then under Section 2, I would assume under that language that the husband who caused the injury would also be allowed to stay home and get paid sick leave. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Where are you reading that?

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

I am reading that a service worker's child's or spouse's illness or health condition.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I guess if there was an injury or a health condition from that, I guess you would be right. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

And, also, this husband who caused the assault now has to appear in court, and under the -- under the confines of this bill, he would also allowed to take a sick day for that purpose. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Only the victim can. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

Thank you for that clarification. So, the victim would be able to take a day off if she had to go to court, but the person who caused the injury would not. So, thank you for that clarification. I won't ask you to repeat your answer. I think I understood it.

I'm looking at line 160 and the following lines thereafter, and as I understand this, the employer could set up a protocol requiring the employee to give at least seven days' notice if they're going to

be out for a sick leave. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

It looks like you read the bill correctly. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

Thank you, and I'm just wondering why this 7-day period. Where did that come from? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I guess because many times when you make an appointment with a doctor, you have to do it a week in advance. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

And, if the employee knows that he or she is having surgery in two months, there's no requirement under this bill that the employee tell the employer

except for the 7-day notice, assuming they have this agreement where the employer requires at least seven days notice. Is that correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I believe that's correct by the bill, but I know if I'm going in for an operation in two months, usually I would tell my employer. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

And, that's -- that would be great, and that's good for the employer, but the employee who decides he's not going to tell the employer, for whatever reason, there's no requirement under this bill. Is that correct?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Correct.

REP. SMITH (108th):

And, how is that good for the employer?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Well, I think it's very good for an employer because he gets seven days' notice. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

But, the problem with seven days' notice, for those of us who are hiring and trying to run a business, is that sometimes you cannot get a replacement within seven days, and if they had actually received 30 days' notice, then certainly they had much more time. So, I'm not sure how that's good for the employer or how it's good for business. Can you explain that to me? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I think we all have to get back to the reality of what this bill is about. It's about employees needing sick time. If their child is sick, they might have to run out of work. I'm sure that many of the people in this building have done that for their kids. That's what

this bill is about. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

And, I certainly understand that, and I appreciate it. I'm just wondering why we have a 7-day requirement because, really, if the employee knows they're having surgery in two months and decides not to tell the employer, that's not good for business, and it's not good for employers. The bill may be about something else, but it does -- there's language in here that says they have to give only seven days' notice even though they know it in advance.

What if the employer has this notice policy that's described in this section and the employee doesn't comply? Can the employer discipline the employee in that scenario? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. An employer can at any time discipline for just cause, but in response, the employee can contact the Department of Labor if they feel they were wronged. Through you, Mr.

Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

Thank you, sir. And, would you consider that just cause for an employer to discipline an employee who violated the notice policy of the company?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

I don't know what the notice policy of the company is. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

The notice -- let's assume that the notice policy of the company is that they have to give at least seven days notice, and/or as soon as practical under the line 166 and failed to do that, although (inaudible) and should have pursuant to the policy. Would that be in your opinion good cause to discipline the employee?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Again, I don't know the full instance of the -- how long he knew in advance. It says "foreseeable." Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

If the employer knew -- if the employee knew two weeks in advance, failed to tell the employer, the employer had the 7-day notice policy, clearly the employee failed to comply with that policy, would the employer in that scenario have just cause to discipline the employee?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski

REP. ZALASKI (81st):

Through you, Mr. Speaker. It's not about the employer's policy; it's about the policy of this amendment, which is a 7-day amendment. If he -- if he could prove that was foreseeable, he could -- he could punish or discipline as he feels fit, or allowed to under his policies.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

Thank you for that answer. And is the -- in that scenario we just went through, is the employee still eligible to get paid even though they failed to give the proper notice under the policy?

Through you, Mr. Speaker

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. If they don't own up to the policy of this bill, then I gather they would not be. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

Thank you, sir. And, I assume the answers would be the same that you just gave if he failed to provide the medical documentation as required further in that sentence or further in that paragraph. Is that correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. If you're talking about the three days, I would have to say yes.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

Thank you for that answer. Just a few more questions and then I'll take my seat.

Just switching over to subsection C, starting with lines 206 to 209, I'm curious about this section, and I'm just going to propose this scenario. If -- does this mean that an employer could hire an employee, have the employee work for, say, 650 hours, approximately 16 weeks, terminate his or her employment for just cause -- out of work, no more work, whatever it may be -- and then rehire the employee thereafter, say, a few weeks later, a month later, whatever it may be.

Under that scenario, would the employer be obligated to pay any sick days?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. As I've answered many times tonight the same question, it is -- if there is no -- if you voluntarily or involuntarily leave work, that's construed as a break in service.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

I'm so sorry to make you repeat it because you said you repeated it, and I heard that section of it, but I was -- I was interrupted for a second. Could you just kindly repeat it one more time?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Yes. Through you, Mr. Speaker. I've repeated it enough so I should know how to say it, so I'd be glad to.

If you read 207, it says whether you're voluntarily or involuntarily breaking service, you are subsequently rehired, if you don't have your 680 hours, you don't have your sick days.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

Thank you. And, just I think it's lastly, the -- if you had an employment contract with an employee that says I'm going to hire you, but I'm

only going to hire you for 650 hours, and then the job is going to be over. Under that scenario, there would be no obligation to pay sick days. Is that correct?

Through you, Mr. Speaker.

REP. ZALASKI (81st):

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

If you don't work 680 hours, you don't get any sick days. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Smith.

REP. SMITH (108th):

I truly thank the gentleman for his answers and for his stamina that he has displayed here tonight, answering all of these questions. Thank you very much.

SPEAKER DONOVAN:

Thank you very much, sir. Will you remark further? Representative Thompson of the 13th District, you have the floor, sir.

REP. THOMPSON (13th):

Thank you, Mr. Speaker. Mr. Speaker, I notice that Representative Rebimbas is not in the Chamber

at this time. I'm not sure whether she left for the evening or what, but I did want to begin my remarks by recognizing her. I thought she made a very effective representation on this subject, and -- but it was -- it's been a very interesting week. We also had a tremendous exchange between the minority leader and majority leader concerning the training and preparation of prisoners for early release. I thought the arguments went back and forth, and I was going to begin by suggesting to Representative Rebimbas that this is the way things are done here in our country, in our state, and we have benefited from it.

The debate she had and that Representative Sharkey had with Representative Cafero I thought produced interesting approaches to both those issues on both sides, and a decision was made, and I think people have the impression that we have a health care system that is just tops in the world.

Well, the World Health Organization believes that America does have a good health care system, but it ranks 37th in the world. Actually, the number one nation in the world in providing health care for its citizens is France and many of the other European countries who have universal health care systems benefit very much from those systems

and rank ahead of us.

But, we also have the most expensive health care system in the world, and we are constantly striving to improve and things are happening, and tonight's debate on the sick leave is part of that system, the system under which we work, which is a democracy, and we're going to come to a conclusion on that piece of the health care system tonight one way or the other.

But, I think you have to recognize that in our country and in our state we have prided ourselves on being the richest state in the richest country in the world, and that's in a little danger right now about the richest state, but we're right up there, and we've made great investments, I think, over the years, and in my judgment, one of the leading reasons for that has been the work of the labor movement in promoting health care through the collective bargaining process, and it's worked, and we all benefited from it.

But, as I look around, we forget that the investments we have made have paid off for us, and I believe what we're talking about tonight is part of that investment.

During the sixties and seventies, I visited every mental retardation facility and every mental

health facility in our state, and those of you who have any familiarity with the treatment of the mentally retarded will remember when Southbury Training School was at the cutting edge in our nation for the treatment and care of the mentally retarded.

Well, since that finding, we have taken another leap forward. We have deinstitutionalized mental retardation in our state. We found by the early care of children born with certain problems and were classified as disabled or retarded or somewhere in that health care system, we began concentrating on the birth-to-three program, and I was fortunate enough to represent you on the birth-to-three commission for several years.

When I first joined the commission, I asked them for some information about what the program was all about and what the effects are, and so on, and so forth. Well, the lady who headed up that program came back and gave us a report, and the report was that children in that birth-to-three system at that time -- a study was made, and it produced the results that 50 percent of the children who go through that program and are picked up at the very beginning of their lives and identified with -- or shortly thereafter or in those first three years,

when they reach school age, they will not require special education. They go into the regular program, and they put a dollar sign on that.

The estimate was that those kids in that five-year period from birth through one or two or three up to five would not require special ed, and the savings was about \$24 million. That figure has gone up according to my latest information from 50 to 65 percent, and we have expanded early childhood education in this state so that kids are better prepared when they get into school age and they're producing better results.

And, that was an investment as a result of recommendation by you people right here, the government.

We also deinstitutionalized mental health, and that's another feather in our cap, but the important thing is that it's producing results in the care and treatment of the mentally ill. It's not the very high, expensive system it once was because more and more people are remaining in the community and receiving the kind of care that gets them back on their feet. It's not perfect. People still require -- some people will require 24-hour-a-day, 7-day-a-week care, but not for as long a period and can be cared for at a much less expensive system than our

major institutions.

So, we deinstitutionalized both mental retardation and mental health care, and that's in my lifetime here in Connecticut which began when I came here after the military and after college in '56, and that's not a very long period of time.

But, the other thing we're talking about is the successful business. Also in my lifetime here, thanks to the Connecticut state government and thanks to this General Assembly over the years, we created a community college system. We upgraded our state university system, our whole higher education. We have one of the leading universities not only in basketball, but also in many of our scholastic directions.

And this, I think, quote, a large part of the credit goes to the state government working closely with the private sector, but playing a lead role in creating opportunity, and we are now looking at vocational technical schools. Well, I hope -- well, I hope we do not -- yes?

SPEAKER DONOVAN:

I'd just like to remind you, Representative, we are on Senate Amendment A.

REP. THOMPSON (13th):

I know. This is talking about Senate Amendment

A.

SPEAKER DONOVAN:

Oh, okay. Thank you, sir.

REP. THOMPSON (13th):

I'm saying that we have done these things, innovative things in higher education, in technical vocational -- vocational technical education, in the care of the mentally ill and the mentally retarded, and I think we've got some way to go yet in providing health care across the state.

We have -- one of the reasons why America ranks so low in comparison to the investment it makes in health care is that it does depend upon institutional care. It doesn't have the outreach, but it's getting it now with the expansion of public health programs, thanks to, I think, the leadership of our Public Health Committee in this General Assembly and public health advocates and -- I'm getting a signal here. I don't understand it, but I think it's going like that, but I will shorten it.

But, I think the points I've made about the progress we've made in this state and the money we have saved as a result of that progress and the money we have invested in our higher education has benefited the business community, the industrial community as much as anything else that's been done

in our state.

And, what we're doing tonight with this amendment is taking another step to involve ourselves in the community and make sure that public health and health services are not only provided, but some of the better practices of care at home, of not going to work when you're sick, especially if you work in a restaurant, and so on, and so forth, are absolutely essential.

And, a couple of weeks ago, we had a dental fair down in Waterbury and dental specialists and dentists and dental technicians all came together voluntarily to provide free services to those in need, and I believe there were almost 3,000 people who showed up over that weekend and took advantage of care and, hopefully, are back on the road to regular care both health-wise and dental-wise, and our federally qualified health centers receive -- are receiving significant funds as a result of the bills passed down in Washington in the past year, and our delegation was very highly involved with that. We have expanded and will continue to expand reaching out to those people who are unemployed and have lost their health care and are not eligible, don't have health insurance, and so on, and that dental weekend was a good example of that.

And, in my community, for example, the centers provide primary care. Specialist care goes beyond them, but now we're seeing hospitals coming together with those centers to you-take-care-of-the-primary-care, we'll help you out on the specialist care. And, that's happening.

And, so, as more people lose their health insurance and must depend upon other sources, and many times it's pro bono from their own doctors, and the health profession is part of this resolution, but there are so many people who will benefit by having a place to go until we get back on our feet and we can -- many of those people have health care through their own insurance or through a public insurance.

So, I would like to end with this thought. As I mentioned before, we've had several debates this week, and it's been the best debates I have seen, and tonight was no exception to that. And, Representative Zalaski, if nobody else knows, he has been a good labor supporter, but a very progressive supporter, and the unions have played a wonderful job in nursing along and helping wherever possible, but they've been fighting for things, and that's what this is all about.

This General Assembly provides leadership in

the treatment of the mentally retarded, the mentally ill, that's recognized across the country.

Southbury Training School was a highlight for many years. Now it's gone on to a much different but more effective program in working with the mentally retarded.

So, we've done some great things. Every kid in this state is within commuting distance of a quality higher education facility, and we're going to see much better and more things happening through the community college system as they adjust their programs to reflect what our economy needs.

So, I say support the amendment, but respect the debate that went on this evening because the people who were arguing from the other side on all of these issues are not going to go away. They're going to continue to contribute, make their cases, and make us better for it.

So, please, be part of the solution and not part of the problem. Vote for this, and respect those, and I hope those people who made such good points speaking against it and how it may affect the business section will continue to come back with ideas how we as a state may work with the business community to restore our way of life to a higher economic position.

Thank you.

SPEAKER DONOVAN:

Thank you very much, sir, for your comments. The good Representative from Litchfield, Representative Miner of the 66th, you have the floor, sir.

REP. MINER (66th):

Thank you, Mr. Speaker. If I might, just a few questions to the Chairman of the Labor Committee. Through you, please.

SPEAKER DONOVAN:

Representative Zalaski, please prepare yourself. Representative Miner, please proceed.

REP. MINER (66th):

Thank you, Mr. Speaker.

In Section 7, starting on line 39, I'm not sure that I see it here specifically, but I want to be sure that the employees of a federally qualified health care center would be covered under this bill.

Through you.

SPEAKER DONOVAN:

.Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Could you repeat that and a little louder? I'm sorry. I didn't quite catch it.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. I just wanted to make sure that in -- I guess it's subsection 7 starting on line 39, that employees of a federally qualified health care center would be covered under this language as it's presented here this evening.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I guess it could be.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. That was the easy one.

Mr. Speaker, I do have a question about the employee calculation, and I just want to be sure that I understand how the calculation is done to get to 50.

If the gentleman could tell me, in order to tally up the employees of a qualified employer, do the employees have to be listed on this list of eligible employees in terms of the benefits, or would every employee of that employer count toward

the 50 employees?

Through you, please, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Every employee.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. So, those employees that would not benefit from this language would still qualify in terms of the 50?

Through you, please.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I'm sorry. I got distracted. Could you restate that?

SPEAKER DONOVAN:

Representative Miner, would you please repeat the question, sir?

REP. MINER (66th):

Certainly, Mr. Speaker. It happens. My question was that while the employees -- if I understand the gentleman correctly, some of the

employees that would be part of the 50 count may not be eligible for the benefits under this bill, although they are part of the calculation that qualifies the employer to be obligated under this bill.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. As the gentleman put it so eloquently, that is correct.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. Then if I could go to Section 2, I'm trying to be sure that I understand in terms of the accrual. I know there's some language in here that allows employers to allow employees to share accrued work -- sick hours if they're not going to use them, that is, to pass them off, let's say, if there was a policy.

There is specific language in here that doesn't entitle anyone to use more than five sick days. If the gentleman could explain to the Chamber how it would be that a business might be able to allow the use of more than would not be permitted by this law.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Five days of sick time is the bottom. Anybody could offer more days than are in the bill. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

And so in terms of the use of the days, that would also be the case as I understand it. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. It's all up to the employer. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker. In the section that begins on line 120, there's some language in here that talks about other days of paid leave that would be kind of an exchange, so if someone was given five vacation days, as I understand the language as it's

presented here, those would also be counted toward the five days. Is that correct?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski

REP. ZALASKI (81st):

Through you, Mr. Speaker. Only if they could use them the same as they can sick days. In other words, if they use one hour to run to the doctor with their child, sick child, then yes.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

And so I know there are a couple of businesses in the District that I serve that have shut-down periods during the summer where they afford people in one case, at least, two weeks paid vacation.

Am I correct in understanding that if an employee could not take some of that time and use it as sick leave, that would not count towards the other option that they could use?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski

REP. ZALASKI (81st):

Through you, Mr. Speaker. That is correct.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

And, I did have a conversation with another employer that believes they would fall under this bill, Mr. Speaker, and the question that was asked to me was that in the past they have through negotiations with their employees provided additional compensation which they understand the employee purchases disability coverage.

If that disability coverage provides sick leave time, that is, that they actually write the check directly to the employee, is that time eligible in terms of not having to provide five additional sick days?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. No. The employer has to pay the sick time. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

I know there have been some questions about trying to assist individuals who have become the victims of family violence, and am I correct that this includes time that an employee might take to move away from an area that they currently live, and if that includes leaving the employment, how exactly would that work?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. If you lose -- if you leave their employment, they cannot pay you.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

And so theoretically, it would have to be generally movement within the area, trying to provide them some coverage for that day of movement, or days of movement, but not if it's at the end of the employment cycle. I think that's correct.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Is that a question through you, Mr. Speaker?

REP. MINER (66th):

Through you, Mr. Speaker.

REP. ZALASKI (81st):

Oh.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

It sounds good to me.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Mr. Speaker, if we could look at Section 4, please.

I know when the bill was before the Labor Committee, we did have some conversations about to what degree this legislation would impact collective bargaining agreements currently in place, and as I see the language on 196 and 197 -- I guess it actually starts on 195 -- it would appear that it doesn't preempt anything prior to January 1st, 2012. It seems as though the bill doesn't actually take effect until January 1st, 2012.

So, would it be correct that this becomes the floor of any future negotiations so it's automatic, if that's correct? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. As everybody knows that has done negotiations for unions or for a company, every new contract is a new adventure.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker.

Mr. Speaker, I understand that it's, I guess I'll say, early. It's not been my choice as to which time I get to speak, and my question is a sincere one.

As I understand it, this becomes the floor, so while a bargaining agreement process may be a new adventure, am I correct that that adventure starts at a five-day sick leave threshold as opposed to perhaps a one-day sick leave threshold prior to January 1st?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I guess you could

say that, but if you have vacation time and it could be used as sick time, then you're covered under the bill anyway. I don't know any collective bargaining agreements personally that do not give vacation time.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Miner.

REP. MINER (66th):

Thank you, Mr. Speaker, and I just maybe wanted to fill in one blank. I know there was a request for some information on a fiscal note earlier, and I think the good gentleman cleared up FY-12, but FY-13, as I understand it in the fiscal note, about \$169,000 is the cost to the Labor Department and about \$40,000 to the Comptroller.

Mr. Speaker, there have been a lot of questions asked about this piece of legislation, and I don't think any of them have been asked about what the intent was, and I, having served with the two gentlemen who are standing across the room here from me, I know that their intent is genuine. I know that the people who came to testify, we've heard very spirited debate on both sides of the issue.

I think from my perspective, Mr. Speaker, the issue comes down to this, and I think this is pretty

much what I said during the Committee meeting: The people that will be affected by this bill, whether they're employees or employers, make those decisions on their own. The employers decide to, in many cases, empty their savings accounts and take on leases, buy real estate, and begin the journey of working together with their employees, and in many cases, my constituents have said to me that those arrangements, those relationships have worked very well, and in some cases for decades.

I think the two gentlemen probably remember some of them actually being at the Public Hearing and stating that, but it becomes very personal with them, that they have conversations about how they would prefer to see the benefits package work and how much the employer can afford.

As I understand this bill, any arrangements that may have been made between the employee and the employer with regard to what they would rather have rather than get sick days are preempted by this bill, so if an employee decides that he wants an additional contribution to a 401K under current law, the employer is not going to give that money back. They're going to have to pay for five sick days.

If there's been an understanding about health insurance, they're going to have to ask for that

back in exchange for some five sick days.

Payment for disability insurance, I already said that I know that there's one arrangement at least within my District where an employer said if I give you the money for disability coverage and that covers your bills including some wages, is that what you would like, and the employees have chosen to say yes. That's not going to be good enough anymore.

So, Mr. Speaker, this isn't about in my opinion right or wrong. This is about relationships, and in this case, once again, the state of Connecticut in a year where we've made a lot of decisions, where we think we know how to impact that relationship, we're putting one more piece of straw on that pile.

Now, maybe it's going to be enough, maybe it's enough where people will leave, maybe it isn't enough where people will leave, but it's certainly going to be a situation where employees and employers are going to find themselves in the situation where they're going to have to have a conversation. Restaurants as I understand are going to be bound by this language, and Mr. Speaker, I know in terms of service individuals where the tip exchange works out far better to swap days. It will be within the employer's right to make the employee take a sick day.

I don't think that would be punishable under this language. I think an employer could say to the employee no, the legislature passed a bill, you're entitled to a sick day, you're going to earn five, I'm going to let you use them.

So, I think there's some harm that's going to be done in this bill in an effort to try and do some good.

So, Mr. Speaker, I didn't support the bill in Committee. I don't intend to support the bill here but, once again, I do want to state on the record that I do know that the gentlemen are very sincere about what they think this bill does. Unfortunately, I think it does fall short.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

I thank the kind gentleman for his comments. Would you remark further on the amendment before us? Representative Kokoruda of the 101st District, Madam, you have the floor.

REP. KOKORUDA (101st):

Thank you, Mr. Speaker, and good morning.

SPEAKER DONOVAN:

Good morning, madam.

REP. KOKORUDA (101st):

I have some questions for the proponent of the

bill.

SPEAKER DONOVAN:

Representative Zalaski, please prepare yourself. Representative Kokoruda, please proceed.

REP. KOKORUDA (101st):

Thank you.

Through you, Mr. Speaker, in Section 1, lines 27 to 31, this is where it's designated any nationally chartered organization. The last part of that provides for recreation, child care, and education.

If a municipality offers those three things in their recreation department, all three things, would they also be covered under this exemption?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. If you read up farther at line 27 and down, you have to be a nationally chartered organization exempt from taxation under Section 501c3 of the Internal Revenue Code of 1986.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Kokoruda.

REP. KOKORUDA (101st):

Thank you. Through you, Mr. Speaker, may I ask the proponent of the bill why were municipalities that offer these same services not protected equally?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I would say it's because they didn't ask for it. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Kokoruda.

REP. KOKORUDA (101st):

Through you, Mr. Speaker. Are YWCA's covered under this same exception?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. If they fit the same description, they are. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Kokoruda.

REP. KOKORUDA (101st):

Thank you, Mr. Speaker. Another question for the proponent of the bill.

Through you, Mr. Speaker, Section 2, lines 98 to 100, it refers to -- let me just get the page -- each employer shall provide paid sick leave annually to each of such employer's service workers in the state.

If a part-time worker works for two businesses, for instance, nursing aide, personal service aide, maybe a lifeguard, if they work part-time for two agencies and have enough hours, are they eligible for this benefit from each of their employers?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. As I've answered multiple times tonight, yes, they are.

SPEAKER DONOVAN:

Representative Kokoruda.

REP. KOKORUDA (101st):

Through you, Mr. Speaker. I apologize. I didn't know that answer before.

In -- through you, Mr. Speaker, another questions. On Section 1, line 84, in the list of service workers, we have butchers and bakers. Are candlestick makers covered, or are they considered manufacturers? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. That is an excellent question. Maybe you should read part of the bill, and you'll see if a candlestick maker is on the list. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Kokoruda.

REP. KOKORUDA (101st):

Thank you, Mr. Speaker. I was just making sure he was listening.

I would just like to tell a short story that happened to me last Friday. I was at a lacrosse game in my community, and a young mother, whose daughter was playing on my granddaughter's team, came up to me and said I'm a school nurse, and I'm so thrilled with this bill, I'm so glad, and I hope you're going to support it.

And, we talked about it for a little while, and I said to her I think it's a great idea; the question is who pays for it.

Later that night when I was relating the story to my son, it was pretty interesting. He said Mom, that's incredible because her husband called me today to ask you please to not support it because he

can't afford it in his business.

This is one family. It shows the complexity of the problem with this whole issue, and I think we're all heard it today. It is an issue.

I received an e-mail from a farm in my District, 140 years this month celebrating, Bishop's Farm, and they had a couple of concerns, and I would just like to ask through you, Mr. Speaker, to the proponent of the bill, once this is set up, my constituent's concerned about who's going to administer this; will this become -- will we need more state workers, will there be more money spent on administering this new program as far as, you know, complaints or appeals?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. I think I received the same e-mail, and I think I e-mailed him back that -- hum -- I can't remember exactly whether I e-mailed him back to tell you the truth, but who's going to administrate it? I think the same people that do their payroll, I would imagine.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Kokoruda.

REP. KOKORUDA (101st):

Through you, Mr. Speaker. Just to take that a little further, if a complaint is lodged, who would -- who would take it from there and who would be paying that bill?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. On which side of the issue? Is it the employee or the employer?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Kokoruda.

REP. KOKORUDA (101st):

Good question. Through you, Mr. Speaker. It would be the employee lodged a complaint. Who would administer at that point?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

They would lodge the complaint with the Department of Labor. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Kokoruda.

REP. KOKORUDA (101st):

Through you, Mr. Speaker. Would the proponent of the bill expect that there would be a cost, additional cost with this?

SPEAKER DONOVAN:

Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. They -- there's a minimal cost to the state. The Commissioner of the Department of Labor has told us that he could do it within available funds.

Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Kokoruda.

REP. KOKORUDA (101st):

Thank you, Mr. Speaker. I would assume it's in our budget for this coming year.

Just to -- first of all, I want to thank the Representative Zalaski for his -- all his patience tonight -- I appreciate it -- and also I just would like to say this is a tough bill. As my constituents told me, the wife thinks it's a great idea, the husband sees the realities of his business, and it's tough, and it's tough for us not to want sick people to go to work.

But, I have to say that in weighing this, I weigh whether someone goes to work sick or takes an unpaid sick day or someone loses a job, and I think in this case I'm going to have to be the voice of those small businesses and those mid-sized businesses. We're not talking Wal-Mart's here. We're talking small and mid-sized businesses, and I just think they're too important to our state right now. I think it's the wrong time. It's the right idea, the wrong time. As someone said tonight that the state should be providing these services, provide is a strange word because if we're going to provide it, we should be paying for it, and obviously we're not.

We're putting something, a mandate, on the municipalities, a mandate on businesses, and unfortunately, in this time, I can't support it.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Madam. Will you remark further on the amendment before us? Representative Simanski of the 62nd District, you have the floor, sir.

REP. SIMANSKI (62nd):

Thank you very much, Mr. Speaker.

A short while ago, I was outside the Chambers, and I crossed the path of the good Chairman for

Labor. I patted him on the back and said how I admired his stamina. He just smiled.

Well, Representative Zalaski, I have no questions for you.

I can tell you I've been on an emotional rollercoaster. It was -- well, looking at the date, it was actually two days ago we in this Chamber were debating the continuance of the Majority Leader's job growth round table, and more specifically, I got up and commented on the manufacturing reinvestment account because I had spoken about how I met with a small manufacturing association, and they were very, very thrilled with this.

Later on, other people in the Chambers spoke about other good aspects of this bill. It was a great bill. In fact, it was so great that my friend from across the aisle, my fellow Staten Islander, Representative Thompson, was compelled to get up and say how proud he was of the Chamber, that we passed a very good piece of legislation.

I've got to tell you, I was on a high, I was on the mountain top. Now, less than two days later, we find this Chamber debating an anti-business job-killing piece of legislation, and I now find myself in the very valley.

But, there's some light. At least from the

manufacturers' perspective, they are exempted from this legislation. I start to climb out of the valley, but then again, I look at the legislation itself, and I see that many of the jobs within the manufacturing business would, in fact, fall within the service employees: the janitors, the building cleaners, the receptionists, the computer operators, secretaries, et cetera, et cetera.

So, there are people within the manufacturers who will, in fact, fall within the purview of this legislation. And, in fact, manufacturers that I'm talking about that I have been speaking to, the small manufacturers, those are the people who have 50, maybe 60, employees. They're sort of family, and if you stop and you think that if these ten categories of people will, in fact, fall within the purview of this legislation, I venture to say that all the employees will, in fact, have to be paid sick leave because if 10 out of 50 have to be paid sick leave, you know that that manufacturer will wind up paying all 50.

A little earlier on in the day -- in fact, yesterday -- we heard a great story from the esteemed Representative from Waterbury. He was telling us about the best forklift operator he had ever encountered, and he started telling us about

how she was a great Yankee fan. I was kind of questioning where is he going with all of this, but then he summed it up by saying he was trying to put a face on what business is. This is really a family; it's a close-knit community.

A little later on, we heard from our esteemed Minority Leader. He told us about being a small business employer. He told us about being up the night before, worrying about how he's going to make payroll. He told us that he made sure the employees were paid first before he took a penny and put it in his own pocket.

A little later on, we heard from the great Representative D'Amelio, telling us how his heart was bleeding for each and every one of his employees, how any time they had any hardship -- a financial hardship, a medical hardship -- his heart went out to them.

Each one of these put a face on the employers that we have been talking about.

I just want to tell you about one more, an employee -- an employer, rather, from my own town of Granby. When I had been out soliciting campaign contributions, he came up, he filled out one of the forms and gave me a five-dollar bill. Then he apologized. He said that that's all he could

afford. I looked at him quizzically, and he explained that he is a small employer, and for the past six months, he had not taken one penny out of the business; any money that the business made went to pay his employees, went to pay his expenses, and he and his wife have been living on their savings accounts.

Ladies and gentlemen of the Chamber, this is what we're talking about. We have to put a face on those employers. They're not very rich people driving around in Jaguars and owning yachts. These are people who are striving to stay solvent, to pay their employees, and maybe make a couple of bucks.

Earlier yesterday afternoon -- it was actually at 4:30 -- when Representative Rigby was questioning Representative Zalaski, he asked him why we exempted business from this legislation, and Representative Zalaski said that was because they're competing globally and it could have an adverse effect on their business.

Well, I venture to say that even service industries are competing globally. If not globally, they're certainly competing with other states, and a lost job is a lost job.

Just ask yourself: If you were a business entrepreneur, you were looking to open up a

business, would you come to Connecticut? Would you create jobs here in Connecticut? I venture to say you would not.

Then later on -- it was actually around 6:00 o'clock or so -- when the Minority Leader was questioning the great Chairman of Labor, he asked him what was so magic about the number of 50, and then Representative Zalaski said, well, it was a compromise, and the questioning led to the fact that it might be burdensome, and Representative Zalaski opined that, well, it would be burdensome from the legislator's perspective, and Representative Cafero said that, well, from his perspective, it would be a burden on the employers.

And then it went on further, and again, what's so important, what's magic about the number 50, and Representative Zalaski said, well, you know, we want to see how the bill will work, to quote him, and he said, it might have a negative effect, again, to quote him.

Well, leads me up to a question again to go back to that meeting with the small manufacturers' association. They asked me -- I guess it was kind of a rhetorical question on their part -- but they said, Bill, if it's 50 qualifying this year, do you think it might be 25 the year after, 15 after that,

and then maybe five, and eventually there would be no threshold?

Well, I was pondering that question, and fortunately, Representative Zalaski answered it for me this evening because when he was talking to Representative Rebimbas, he said he would be very glad to have a conversation with her about lowering the threshold, so even though we're talking about 50 today, I'm pretty comfortable going back to those manufacturers and saying that someday, if we pass this legislation, there will be no threshold.

So, I cannot support this legislation. Again, looking at it from the perspective, putting a face on those small manufacturers, this could be the make and break thing, the straw that broke the camel's back, the straw that's going to make them go insolvent, or, in fact, fire some of those employees.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Representative Betts.

REP. BETTS (78th):

You can relax. Thank you very much, Mr. Speaker. I just have one or two questions and then just a few remarks if I could through you, Mr.

Speaker.

SPEAKER DONOVAN:

Please proceed.

REP. BETTS (78th):

Representative Zalaski, could you tell me the impact that this is going to have that's passed on to municipalities? Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Zalaski.

REP. BETTS (78th):

I can repeat that if you didn't hear it.

REP. ZALASKI (81st):

Was that -- through you, Mr. Speaker -- municipalities, what effect?

REP. BETTS (78th):

Yes, please. Through you, Mr. Speaker.

REP. ZALASKI (81st):

Through you, Mr. Speaker. If they have collective bargaining agreements, it will be none at first. Through you, Mr. Speaker.

SPEAKER DONOVAN:

Representative Betts.

REP. BETTS (78th):

Thank you very much. And, if this bill is passed, do you think that this lays the groundwork

and sets the precedent for being able to put additional mandates on businesses in other areas like pensions, other benefits, as a result of the passage of this legislation?

Through you, Mr. Speaker.

SPEAKER DONOVAN:

• Representative Zalaski.

REP. ZALASKI (81st):

Through you, Mr. Speaker. Not while I'm here.

SPEAKER DONOVAN:

Representative Betts.

REP. BETTS (78th):

Okay. Thank you very much. You've got the night off. Good job. It reminds me of college.

Just a few remarks that I'd like to share -- say because I know everybody's tired, and I just would like to wrap up with this.

One of these that I find is very unfortunate because anybody who knows me, I'm a very strong believer in consensus building, and I feel like the opposite has occurred with this legislation.

Instead of trying to work together with businesses and employees, I think this has become a polarizing issue, and instead of trying to help the people who are unemployed -- and there are a lot of them -- finding jobs, I think we have made it very

difficult for them to get the jobs because we have been sending a message to employers that we, in fact, are not interested in helping you.

We have, as Representative Zalaski so accurately said, we have a lot of competition not only in the world, but within this country, but I think one of the things, unfortunately, that's hurting businesses growing and developing now, is government.

We should be a partner. We should not be interfering with relationships. And, it's too bad and unfortunate that we don't recognize that role and see that we can be an asset instead of a liability.

I think Representative Miner said it perfectly before. We really are talking about interfering with relationships between employers and employees, and a lot of the small families and the small companies we're talking about, as Representative D'Amelio said before, they're like family, they're like family; they know each other very well. People do the right thing. They always try to help people in need. It's a mutually beneficial relationship.

I think the message that this bill says is we don't think you can do that. I think that's unfortunate. That's not saying very much about the

employers, and I think the other thing it does is it affects the relationship in the communication.

Earlier on, we had passed a bill dealing with captive audience, and one of the reasons I had mentioned back then that I thought it was harmful is instead of bringing people together around the same table and talking, we were, in fact, making it more difficult for them to achieve that.

I have to tell you that this is not a very good point for me. You may think you're making history, but I really wonder what kind of history we are making. Instead of feeling really good in embracing the future, I wonder how well we've been listening to our constituents, and our constituents include entrepreneurs, people who make money, hire people, work with people, support families, and we are sending something in spite of all the e-mails we've heard, the testimony at the long Public Hearings, we are ignoring what we're hearing. We are imposing our will on them despite the fact they told us this is going to impact their business, their costs. That's really unfortunate.

The best advice anybody told me about being a knowledgeable and effective legislator is listen, listen, and listen.

I don't think we did that with this

legislation, and that is the reason I will be voting against it.

I thank Representative Zalaski for answering all the questions he did tonight, but I respectfully disagree about the benefit that this legislation is going to bring.

Thank you very much, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Representative Morris.

REP. MORRIS (140th):

Good evening, Mr. Speaker. Very briefly.

SPEAKER DONOVAN:

Representative Morris.

REP. MORRIS (140th):

I've heard a lot, and thank you for the sensitivity in which the conversation was given, but certainly as a former business owner, I pondered all day whether I should talk, and I'll try to do this within 90 quick seconds.

There's a concern that this will stop businesses from growing in the state of Connecticut; however, I've got a different story.

I started a business in 1984. You think you've heard me tell the story before, but in three years, I grew that business to become the largest minority

contractor in the state of Connecticut.

I don't think I grew that because I was so smart, I was so good, or anything else like that. I think I grew it because I gave benefits to the employees. I share profits with my employees.

The name of the company was Morfam. Everybody used to ask me, who's the "fam." I said it stands for the Morris family, and my concept was that the people that worked for me were like my family.

I've heard many people talk about that today. Well, my concept of family was if my family member was going to be sick, if they needed a vacation or something, it is something that I should give them. I grew that business from a non-union to a very large union business of 45 employees. When the economy became bad just as it is today, those benefits were not the problem. Those benefits I gave my employees made me more competitive than other people.

So, I share that because I also received another e-mail from another businessperson this week that reminded me of when I was in business, and that was their story. This was a businessperson that was asking me to please support paid sick days because it was good for the employees, it was good for his business. I just received that.

So, ladies and gentlemen, there is another side to the story. There's a couple of different paradigms in business. One where you say that I'm going to make a lot of profit. There's another one that says I'm going to make a lot of profit, but I'm going to share it as well; I realize that I owe something to those who are helping to make me profitable.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Remark further?  
Representative Zalaski.

REP. ZALASKI (81st):

Thank you, Mr. Speaker. I'll be brief.

I just wanted to thank everybody on both sides of the aisle, especially the other side of the aisle. You've been gracious to me, and I really appreciate it. There were many good comments, and I would also like to thank my own side, the caucus side, because it's a late night, and I appreciate your staying through the night and listening to the debate.

And, I also have to thank Senator Prague from upstairs for helping get this bill through, and I definitely would like to thank Representative Ryan for all of the hard work he's done for many years on

this bill, and we finally got it done.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Representative. Representative Cafero.

REP. CAFERO (142nd):

Thank you, Mr. Speaker. It is quarter of 3:00 in the morning, and we've had a long, long debate.

There are many who might say for what, what's the deal. You know, those of us on this side of the aisle have gotten, with due respect, a lot of comments made tonight like, you know, it's Friday night, can't we go home, enough's enough, why are you debating this, you know it's going to pass, we wouldn't have called it if it wasn't going to pass, what's the point.

I'd like to try to take a moment to explain the point. Those of us on this side of the aisle believe with every fiber in our body that the people who proposed this legislation are good and decent people and proposed it for a good and decent reason, but we also know that many people who this bill will affect are very, very concerned about its effect. They believe, as I said earlier, that at this point in our history, at this point in our state's time, if you will, in this economic crisis, it is the absolutely worst thing we could do, it is the worst

signal we could send, because above all else, what we need in the state of Connecticut is jobs, jobs, jobs, and any effort, any measure that we take that sends a signal that Connecticut is, in fact, not open for business, that it is closed for business, that business a/k/a job creators are not welcome here, that there's actually incentives to decrease jobs so they will not become subject to more onerous mandates.

Those businesses, 73 percent that are small businesses, hanging on by their fingernails, that have told us time and time again we just can't take it anymore, give us a break, give us a break, we've heard the mantra of shared sacrifice, we've been told you've got to pony up some more, we know that we're going to have to pay extra unemployment compensation because that fund went belly up, we know there's things the state has no control over that keep going up -- the cost of gasoline, electricity, goods and services -- we're hanging on by a thread.

It's not good to do business in Connecticut anymore, but we want to stay, they say to us. We raised our family here; we raised our kids here; I coached a Little League, and I worked for the PTA, and I volunteer my services at church or synagogue.

I want to stay here, they're saying to us; please recognize that, but help us out. Not only do I want to stay, I want to grow.

You see, these businesses like having more employees. They don't treat them like garbage. They treat them like family, but we keep adding and adding these burdens to them, and they say, for God's sakes, at the very least, right now in 2011, 2012, for the near future, give us a break; we understand mandatory paid sick days is a groundbreaking piece of legislation; no one else in the country has done it, but this isn't the time; you want to break ground; break it in a couple of years; give us a break to get back on our feet, they're saying.

How can we just turn our back on that? How could we say no, it's now, it's got to be now? Some might say, well, you do that when it's a matter of principle because every man and woman deserves to have paid sick days, and if they're sick, they don't have to be in fear of losing a day's pay.

But, we don't even do that. We exempt people from it.

As I said earlier -- it seems like a zillion hours ago -- we don't want people sneezing on our food and transmitting diseases and sickness and

coughing and sneezing if you're with a company that has 50 or more.

Representative Tercyak told the story about people getting sick in a restaurant where you serve food, but guess what? Under this bill, if that restaurant has less than 49 employees, we don't mind that, get sick, sneeze, cough, because nobody can touch you because under this bill, you're exempt. Again, we pick winners, and we pick losers.

And, when people see that and they say you're actually making a distinction, folks, Mr. and Mrs. Legislator, you're making a distinction. If you're making a distinction, then your intellectual purity isn't there, and if it's not there, for God's sakes, give us a break. Can you wait a couple of years? Do you got to do this now? We're down, and you're kicking us again.

We came into this session nearly five months ago, saying jobs, jobs, jobs. We're ending this session five months later, almost guaranteeing no jobs, no jobs, no jobs.

We have a choice tonight. Yeah, I guess we could be the first in the nation to pass this legislation, or we could look inward and say we've got to take care of our own, we've got to get back on our feet. Let's choose the latter path.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you, Representative. Representative Sharkey.

REP. SHARKEY (88th):

Thank you, Mr. Speaker.

Briefly, my biggest concern about this entire debate that we have had about this issue for not just this year, but the last several years, has been the polarity that it has created in our state on both sides of the issue.

I think that there have been some extreme positions taken on both sides. I think we've seen from those who've proposed this legislation and fought for this legislation some extreme positions taken, frankly. I think that for those who are opposed to this legislation, I also think it's extreme.

I think we've been told that this legislation will cause irreparable harm, and I'm not sure we've ever seen the evidence of that.

Now, what has been said in opposition to this legislation in the past, over the years, is that this is setting a precedent, this is something that the state of Connecticut is doing first, we're the first state in the country to do this and why. Why

are we the ones to do this?

Well, the answer is that that's what we do. In Connecticut, we do these things. In the late 1980's, we were the first state to adopt FMLA, Family Medical Leave Act, and you know what happened after that? The federal government adopted the same policy that we did. We led the way here in Connecticut.

And, you know what didn't happen after that? What didn't happen was that the sky did not fall. In fact, after passing FMLA in the state of Connecticut, Connecticut actually enjoyed one of the largest expansions of jobs in our state's history throughout the 1990's.

We learned about San Francisco. There's an article that just appeared recently about the fact that San Francisco has led the way on this particular issue. It's the only state in the country that's done that.

Well, San Francisco is going to be one of the top global hot spots in the next ten years according to -- according to a publication, the San Francisco Chronicle, and national reviews of nationwide and global urban centers.

We've also heard that the burden on businesses is great. Now, I'm a small business owner myself.

My business has been hit hard by this recession. I've had to lay off people, family members, within my business. I understand what it means to run a business, to meet a payroll and to have to tell people, people that you love and that you care about, that there just isn't the cash flow to support because of the economy, to support their salaries.

But, I also know that most every company that is struggling this way, as we've already heard in the debate tonight, is already offering this particular benefit. So, what we're asking certain businesses of a certain size to do is to just make sure that they're doing what most of us all agree they should be doing anyway.

The other thing that we heard a lot about tonight is about optics, about the fact that we are sending out the message to the world that Connecticut is a business unfriendly place simply because we are taking the lead on this issue.

Well, I think Representative Simanski discussed the fact that just yesterday, or actually the day before yesterday now, we passed the Majority Leader's job growth round table bill as well as other legislation that is moving us forward in job creation. We are fighting to create jobs in this

state, and we are doing the hard work for job creation, and my frustration about the polarization that this issue causes is that we are sending the message that we are a business unfriendly state, but I'm not sure where it's really well founded.

I think we are doing the things we need to do, to cut taxes for businesses, make it a business friendly state, create jobs for our state. We are doing that work. We have done that work. We did it just the other day, and we're continuing to do it.

So, my point and in conclusion, Mr. Speaker, is that this is not an either/or. The polarization that has occurred over this issue for the last few years is not an either/or issue. We can do both. We can encourage and support our businesses in this state, and we can help protect our workers, workers who need the kind of protection that this bill provides.

So, I would say to those on both sides of this issue let's stop the hyperbole, let's stop the exaggeration, let's think, let's develop legislation that makes sense, which I think this legislation has done. It has not been called as a bill for the last few years out of the same concerns that we've been talking about tonight. It's not like this is the first time we've discussed this. It has been pared

down; it has been watered down over the years; there has been an effort to hear the concerns that have been raised and to try to make it happen; but, the bottom line is that it's not either/or.

Let's watch this legislation. Let's see what works. Let's stop what doesn't work. Let's see what effect it actually does have on businesses, but for goodness' sake, let's pull together as a state to make our state a friendly state for businesses and for workers. It's not either/or.

Thank you, Mr. Speaker.

SPEAKER DONOVAN:

Thank you. On the amendment, will staff please come to the well of the House, members take your seats, the machine will be open.

THE CLERK:

The House of Representatives is voting via roll call. Members to the Chamber of the House. The House is voting on SENATE AMENDMENT "A" BY ROLL CALL. Members to the Chamber, please.

SPEAKER DONOVAN:

Have all the members voted? Have all the members voted? Please check the roll call board to make sure you voted. If all of the members have voted, the machine will be locked. The machine will be locked, and the Clerk, please take a tally.

The Clerk will announce the tally.

THE CLERK:

Senate Bill 913, Senate Amendment A.

Total number voting 141

Necessary for adoption 71

Those voting Yea 76

Those voting Nay 65

Those absent and not voting 10

SPEAKER DONOVAN:

The amendment passes. Remark further on the bill as amended. Remark further on the bill as amended. If not, staff and guests come to the well of the House. House members take their seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members (inaudible) to the Chamber, please.

SPEAKER DONOVAN:

Have all members voted? Please check the roll call board to make sure your vote has been properly cast. All members have voted. The machine will be locked. The Clerk will please take a tally.

The Clerk, please announce the tally.

THE CLERK:

On Senate Bill 913 in concurrence with the Senate.

Total number voting	141
Necessary for adoption	71
Those voting Yea	76
Those voting Nay	65
Those absent and not voting	10

SPEAKER DONOVAN:

The Bill's Amendment is passed.

Representative Sharkey.

REP. SHARKEY (88th):

Mr. Speaker, I move that we immediately transmit the bills acted on today to the Senate for further action.

SPEAKER DONOVAN:

There is a motion for me to transmit all bills acted on for further action of the Senate. Any objection?

REP. CAFERO (142nd):

Mr. Speaker, sent to the Senate -- excuse me. Thank you, Mr. Speaker. I just wanted to clarify.

SPEAKER DONOVAN:

This is to the Senate. The bills immediately transferred to the Senate need further action. Any objection? Any objection?

Hearing none, the bills are immediately transmitted for that purpose.

**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

**PROCEEDINGS  
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The question is on adoption.

I will try your minds. All those in favor please say -- signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed.

The agenda is adopted by voice vote.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, would like to mark one item on our Calendar as order of the day at this time. Be the first item taken up today. And that item is on Calendar page 27, Calendar 97, Senate Bill 913.

And if the Clerk would call that item --

THE CHAIR:

Mr. Clerk.

SENATOR LOONEY:

-- as order of the day.

THE CLERK:

Madam President, calling from Calendar page 27, Calendar Number 97, Senate Bill Number 913, it's AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES, favorable report of the Labor Committee,

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Judiciary Committee, Appropriations Committee -- and the Clerk has way too many amendments.

THE CHAIR:

Well, I think it --

Senator Prague, are you bracing yourself, ma'am?

SENATOR PRAGUE:

I am, Madam President.

THE CHAIR:

Then please proceed.

SENATOR PRAGUE:

Thank you.

Madam President, I support the Joint Committee's favorable report and passage of the bill.

THE CHAIR:

Acting on approval of the bill, will you remark further?

SENATOR PRAGUE:

Thank you, Madam President.

Madam President, the Clerk has -- as he said too many amendments -- but one amendment I'm going to ask him to call is Amendment LCO 7200. Would he please call and I be allowed to summarize?

THE CHAIR:

Mr. Clerk.

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THE CLERK:

Madam President, the Clerk is in possession of LCO Number 7200 to Senate Bill Number 913, copies of which have been distributed.

THE CHAIR:

Thank you.

Senator Prague.

SENATOR PRAGUE:

Thank you, Madam President.

Madam President, this is a strike-all amendment. This becomes the bill. And what the amendment does --

THE CHAIR:

Senator, do you want to --

SENATOR PRAGUE:

I move passage. Thank you.

THE CHAIR:

The question is on adoption.

SENATOR PRAGUE:

Thank you.

THE CHAIR:

Will you proceed?

SENATOR PRAGUE:

I move adoption.

THE CHAIR:

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Thank you.

SENATOR PRAGUE:

What this amendment does is describes how the system is going to work for employers of over 50 employees. Each employee will have to work one hour for every -- will earn one hour of paid sick time for every 40 hours worked. The list of employees that will be entitled to this benefit is listed in the amendment. They are all service workers.

There are some of businesses -- there are some places that are exempt, such as the YMCAs, manufacturers -- but all the other service workers will be entitled to earn one hour for every 40 hours worked. After they have worked 680 hours, they can begin to use what they have accumulated -- what they have earned -- in paid sick time. We have learned that there is between 300,000 and 500,000 of these service workers in the State of Connecticut that don't have paid sick time.

The purpose of this bill is to allow people to take a paid sick day if they're sick, if their child is sick, if their spouse is sick.

It is clear that this is a public health issue because if people going to work sick, they infect

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other people around them. Last year Governor Rell got on television when we had the flu epidemic and said if you are sick, stay home; don't go to work and infect other people.

-- Well, that's perfectly wonderful and that was the right advice but, unfortunately, these folks have to go to work to get that day's pay. They have children to feed; they have rent to pay. They cannot afford to stay home and, consequently, they go to work sick.

Madam President, the bill before us clearly delineates what the system will be for people to earn five paid sick days a year. If they earn those five sick days a year and don't use them, they can carry them over. But when you carry over sick days, you can still never get to use more than five sick days in a year. If you carried over five, you still can only use five the next year. If you carry over two because all you used was three-- in the following year, you carried over two you can then get another three sick days so that you will have in total five sick days.

I would be happy to entertain any questions about this bill. I am very proud that Connecticut is the lead on this issue.

The City of San Francisco initiated this kind of

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a system a couple of years ago, and it has proved very successful. Even Forbes Magazine has said -- amongst many other letters of support that we have gotten -- that this is good for business. It actually saves business money because when employees go to work sick, they make other people sick and that's costly to a business.

I would like to yield to Senator LeBeau, Madam President, for some questions that Senator LeBeau has.

THE CHAIR:

Senator LeBeau, will you accept the yield, sir?

SENATOR PRAGUE:

Yeah.

SENATOR LEBEAU:

Yes, I would. Thank you, Madam President.

Thank you, Senator Prague, for bringing out this important bill today.

Before I ask the questions, Edith, I'd like to -- Senator Prague -- I'd like to make a few comments on the bill if I might?

THE CHAIR:

Absolutely.

SENATOR LEBEAU:

Thank you.

We're going to probably hear some predictions today about how this is going to -- from business lobbyists -- how this is going to hurt business. However, as noted by Senator Prague, the real life experience of firms that have provided sick days in the past and the growing body of academic research shows beyond any doubt that the cost of providing sick days are extremely small. And -- and this is the key, that the cost is small but the benefits for employers, employees and the public and public health are substantial. That is why I stand in support of the bill today.

The Economic Policy Institute says that the data shows clearly that the potential cost for providing sick days is, in fact, extremely small relevant to the total sales of a firm. In addition, available research shows cost savings to employers that provide sick days largely resulting from reduced employee turnover.

Now we've -- we've had in our country and in our -- we've had a lot of demographic and economic turnover. More women in the workplace, staying on jobs for longer periods of time and today over two-thirds of mothers work outside the home. And most

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families have two working parents. Nearly half of all Americans are unmarried and many of them are sole breadwinners and families with children. So the difficulties that are inherent in those situations have grown in our society.

Many employers have adopted their policies in recognition of the importance of balancing work and family. However, the place that we really need to do this are in the low wage and service industries. And that is where the need is but it's also where the greatest resistance has been. So we have the greatest need, but we have the least availability.

Among low wage private sector workers only 20 percent have access to paid sick days. And these are the very occupations where we would like -- where we want people, who are sick, as Governor Rell said -- said, Stay home. When you're sick, stay home.

And these are the places -- food service, childcare, eldercare, retail occupations.

Now let me -- let me expand a little bit on costs. Paid sick days have the potential to save employers money by reducing turnover. When sick workers stay home, they prevent the spread of disease which slows the workplaces and reduces productivity:

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Providing paid sick days dramatically reduces the cost of presenteeism or the loss of productivity stemming from employees coming to work who are sick and not being able to be fully productive.

With increased access to paid sick days, employees and their families will enjoy lower expenditures for healthcare service which we also may have a cost to the State. So, again, while the cost to employers is small -- this also represents wages paid to employees. These employees live in Connecticut and spend their dollars in the local economy. When employees lose income because they are ill that is a cost to our economy so this keeps the economy running on a -- on a more smooth basis.

Well, my conclusion is that, yes, there's a cost. There's no question there's going to be an increased cost but it's a very small cost -- percentagewise 2.5 percent -- and that's if all of the businesses' cost are just in labor. But, of course, we know that all of the businesses' costs are not just in labor they're also in -- in taxes. They're also in the cost of capital, the cost of materials, what they produce, what comes in, what goes out. All kinds of other costs are associated with that.

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To direct my question to you, Senator Prague, many employers currently provide a variety of benefits to employees including health insurance; is that correct?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President, to Senator LeBeau.

Yes, that is correct.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

Thank you, Madam President.

Through you, well, employers provide health insurance to employees some employers use a payroll deduction system so that the cost of paying for employee-sponsored health insurance is partially offset by a payroll deduction so the cost is actually shared between the employer and the employee; is that correct?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

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Yes, Senator LeBeau, that is correct.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

Thank you, Senator Prague.

Through you, Madam President.

It is my understanding that the cost of offering five paid sick days to an employee is far -- far smaller than the cost of providing health insurance to an employee. Do you think that is a fair assumption?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

Senator LeBeau, that is very much the picture. The cost of health insurance is far greater than the cost of providing paid sick time.

SENATOR LEBEAU:

Thank you, Senator Prague.

Through you, Madam -- Madam President.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

Even though the cost of providing paid sick days

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is very small, it is my understanding that nothing in this legislation would restrict or prevent an employer from establishing a payroll deduction system of some kind, such that the cost of providing paid sick leave, might also be shared between the employer and the employee. In effect, employers can set aside some money for wages to cover the cost of providing paid sick time so that they can give a wellness bonus to employees who don't use their sick time. So employees would all receive the same total compensation but the employer could soften, so to speak, the cost of providing paid sick time even though I agree with you that this is a very small cost to begin with.

But it is my -- is my understanding correct that nothing in this legislation would prevent an employer from establishing a payroll deduction system as many do for health insurance benefits?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President, to Senator LeBeau.

Senator LeBeau, you have hit the nail on the head. The cost of providing paid sick time is

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minuscule. It's like one-tenth of 1 percent. And the employers -- there's nothing in the bill that prevents the employers from working out whatever arrangement they want to with their employees. If they agree to establishing a fund, that's fine. There's nothing in the bill that prevents employers from working out some kind of proposal with their employees.

THE CHAIR:

Senator LeBeau.

SENATOR LEBEAU:

Thank you, Senator Prague.

You've answered my questions.

I -- I know that in the past I had suggested this be part of the bill. It doesn't need to be part of the bill which is why it's not in the bill because I think there are some ways that even though the cost is small that the cost can be mitigated; that employers using their creativity can cut the cost even further. Provide incentives for -- and we want people when they're sick to take -- to take a sick day but if there's a cost to -- to the employee, they may think a little bit more, you know. I got a cold, I'm not sure. We -- we want people to stay home when they're sick particularly in the food service and childcare,

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eldercare industries. But this also provides an incentive I think. So employers can also provide an incentive for asking people to say -- state -- that they not use all those sick days if, you know, there may be an incentive to, well, I got a couple of sick days left. I -- I think I'll use them up. This way they could -- there could be a cash reward system for those who -- who do not use up all the days.

And I thank you, Senator Prague. I want to just conclude by saying I thank you for bringing out this important bill today.

You know, I was thinking about this before I stood up. I think a lot of people in the circle would think about this, too. You know, I believe we're -- we'd be the first state in the nation to do this. And -- and I'm -- if we do it -- and you said it yesterday in speaking to you in our private conversation, Senator Prague, how proud you were to bring this out today and I think you should be.

You know, unemployment compensation is not a popular idea. Workers' Compensation was not a popular idea when they first were. Businesses said this will destroy business. This will -- this will be harmful; this will kill us.

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Well, it's our duty, I believe, to balance off the good of society versus the good of any particular segment of society. And I think this is quite doable. And I praise you and those who have worked on this -- and the Labor Committee and all those who have worked on this to make this -- and what I see is -- a very good bill today. It's limited. It helps -- there's no business in here that would be affected that's in competition with other states.

This is a -- this is a very good bill, and I -- I applaud you for your efforts. Thank you.

Thank you, Madam.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Gomes.

Whoops, sorry --

SENATOR PRAGUE:

Madam President, I just wanted to, through you, thank Senator LeBeau for his comments. He's absolutely right. As the chair of the Commerce Committee, he's particularly concerned about businesses, how they thrive, how they become successful. And his comments, I think, are very

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poignant. I think they are absolutely right on target. For somebody who chairs the Commerce Committee to be so strongly supportive of this bill is significant.

And I thank you, Senator LeBeau.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Gomes.

SENATOR GOMES:

Thank you, Madam Chairman.

Are you -- I rise to support this bill for the simple reason that most of the people that would benefit from this bill come from the low paid sector. They come from the service center -- service industry.

These people are paid very little and sometimes they are women who have children and they are single women. They have to take care of their children. And a person shouldn't have to -- if their child gets sick -- have to worry about their child being sick and take off to take care of their child and then worry about whether they have a job after they attempt to return to work.

Some of these jobs, because they are such low

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paid, minimum wage jobs, they have no job security whatsoever. If a person feels like I should have a person come to work for me every day and without any breaks and if they do take a couple of days off, I'm going to get rid of them and get -- and hire somebody else. Sick days -- it's not something that's an option. It's something that's humane.

You have people that wait on you -- most of these people that are in the service industry, they take care of our children, they serve your food and they care for the sick and elderly. They work in these rest homes. They're working at restaurants. They work in childcare centers. They are always in contact with people who are susceptible to getting sick. In other words, if they are sick, they should be home. If their child is sick, they should be home.

When we had one Labor hearing, I had one person who was a restaurant owner tell me that he had sick days. I said, For who?

He said, For my culinary people and management.

I said, For culinary people and management? What about your waitresses?

Well, the reason why I have sick time for culinary people and management is because culinary

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people are back there. They cook the food. They come in contact with the food.

And I asked them what about -- what about a waitress? She not only comes in contact with your food when she enters that kitchen, she goes out there and waits on somebody that might come into the restaurant that's sick already and pass on the sickness that they will bring back into the restaurant. So it's so foolish of them to tell me that only culinary people should be paid.

And this is what the concept has been for a lot of people. They want to take care of people that they consider that's valuable to them. And some of these people that are working in the service industry that are on the low level, they're a dime a dozen. I'll get rid of one today and I'll pick up another one tomorrow. It's not the humane thing to do and there's some of these people that count on these jobs. They work minimum wage. Some of them work more than one job.

We've been at this bill, I guess, for a couple of years now. And I've been a big promoter of it for one reason. In my other life, I used to be a union rep and most people already know that. And I negotiated

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contracts and we negotiated sick leave. People are under the impression that if you give somebody sick leave, they will take these sick leave days and go out and go shopping or go fishing or doing anything. The fact of the matter is most of the time when they had sick leave, at the end of the year -- people have enough pride to come in. They do their job every day. At the end of the year, they go more than from half to three-quarters of those sick days left. People don't work to game a system. And if you want a poor employee, this is a way to get one.

If you protect your employees and protect them so that they are able to come into work every day, then you will have a more stable business. You will have people that you can count on and if you have people you can count on, you don't have to worry about them being out.

And I had other employees talk about sick days, well, I have to replace her and I have to pay for -- I have to pay for somebody to replace her.

Well, if you treat people like they're not good employees and you don't have enough sense to know that people work for a living and they don't come in there to game you. They come in there every day to work,

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support their family, have pride in their jobs. And this is my history or what I know about employees that I've protected.

Every once in a while, you'll get a foul up and he'll be worth -- in economics, he'll be -- he'll be a bigger pain in the neck to you than some of these people that are already -- that you're employing on a lower level. People that don't work on higher levels work for lower pay and they count on every dime they get; therefore, they're in there every day, working and trying to make a living.

You have waitresses who are paid below minimum wage level because of the fact that they're do -- their tips are counted in. That type of a employee is not a goof-off for the simple reason that they come in there and they have to hustle and please people that they're waiting on in order to get a tip. These are the same people we're talking about protecting. If they get sick they should be out, they should be taking care of their families, they should be getting better and not infecting other people because when they come to work -- if you've ever been to a restaurant and you look around, waitresses are hustlers. They move fast, they're on the job all day.

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They work their butts off.

We're not talking about a benefit that would be given to somebody and -- as many people think -- some goof off time. We're talking about people that need something to substantially benefit their families so that they don't have to worry about their children being sick. And like I said they don't have to worry about getting fired because they've missed a couple of days.

I could go on a number of things and on and on and on but the basis of all of this is this is a humane thing. This is a thing that should be done for people that have the least and need the most. And I just wanted to just summarize all of this just by saying do the right thing as that old saying goes. Take care of somebody that needs it. We've taken care of a lot of people in this Senate -- in this Circle with bills that hardly need it as much as these people do.

I want to thank you. Bye.

THE CHAIR:

Thank you, Senator.

Senator McKinney.

SENATOR MCKINNEY:

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Thank you, Madam President.

And I understand the amendment before us is pretty much a strike-all and becomes the bill so I guess what we'll do is we'll have the debate on the amendment as the bill.

But if I could, through you, a couple of questions to Senator Prague.

THE CHAIR:

Please proceed, sir.

SENATOR MCKINNEY:

Thank you, Madam President.

Senator Prague, we have seen a lot of different file copies and LCOs that have come out on this bill. There is one significant change between the file copy we're now debating, LCO Number 7200, and the previous one that appears to be the exemption of manufacturers.

Through you, Madam President, could you please tell me why manufacturers are being exempted?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Madam President, through you to Senator McKinney.

Senator McKinney, this was a particular concern to Senator Bye. She, you know -- we all have our

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different issues and most manufacturers are under negotiated contracts for their employees. This most frequent amendment was drafted early this morning because the manufacturers came in and said that they felt that they were not eliminated from the bill even though most of their employees have contracts and the contracts provide paid sick time, they felt that they were being additionally mandated even though they have negotiated contracts. So we accommodated her concern because we felt that there was some validity to what they were saying.

If you have a negotiated contract, then you don't have to have a mandate from us to offer paid sick time because when you negotiate a contract, it usually includes health benefits, sick time, wages, and so forth.

SENATOR MCKINNEY:

Thank you.

Then --

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

-- then the next logical question is why haven't we exempted from the definition of employer any

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employer that has negotiated contracts? We clearly have exempted manufacturers. The argument is because they have negotiated contracts.

The language in the bill -- as I read it -- says nothing in this bill would interfere with any collective bargaining agreement. You would agree with that. So why don't we have an amendment that says any employer over 50 people if they have negotiated contracts are exempt from this? Why did we pick just manufacturers?

THE CHAIR:

Senator --

SENATOR MCKINNEY:

-- Let me just restate that. I'm sorry, Madam President.

Would you agree that this bill does not exempt all employers that have negotiated contracts?

Through you, Madam President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President, to Senator McKinney.

If I understand you correctly, did you say would

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I agree that this bill does not exempt employers who have negotiative contracts? The bill does. If you have a negotiated contract, this doesn't preempt that negotiated contract.

SENATOR MCKINNEY:

-- and -- and

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

I agree. But you said -- maybe I misheard you. You said the reason why manufacturers were being taken out -- I don't want to put words in your mouth -- was because Senator Bye expressed in a concern that since manufacturers have negotiated contracts, they could handle this issue with those negotiated contracts. But we haven't carved out other employers who may not be manufacturers who may also have negotiated contracts.

So my -- my question is are -- are you saying that if you're an employer and you have a negotiated contract, that this bill does not apply to you?

Through you, Madam President

THE CHAIR:

Senator Prague.

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SENATOR PRAGUE:

Through you, Madam President.

That's true. The answer is yes. If you have a negotiated contract, this bill does not apply to you. Your negotiated contract takes preference.

SENATOR MCKINNEY:

So; through you, Madam President --

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

If you're an employer not a manufacturer and you have a negotiated contract for two paid sick days, you would not have to give your service employees more than two paid sick days?

Through you, Madam President

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Whatever the negotiated contract says is what the employer and the employee have negotiated and that's respected in this bill.

THE CHAIR:

Senator McKinney.

Thank you.

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SENATOR PRAGUE:

Most employers offer vacation time, offer personal time and all those count towards the paid sick time.

- - SENATOR MCKINNEY:

Thank you.

Madam President, through you.

Senator Prague, can you -- can you educate me as to why the YMCAs were -- were taken out? We've seen previous versions of the bill that covered YMCAs. Now they've been taken out. They're the only nonprofits taken out.

Through you, Madam President, why are the YMCAs taken out?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

You know that's a very interesting question. I -- we sat down with the YMCAs. I couldn't understand what their issues were until they came in and they clearly explained how people work for them. Some of the lifeguards will do lifeguarding for a couple of hours and then those same lifeguards will go over and

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they'll be involved in some other kind of activity, and then they might even be involved with some kind of program for preschoolers. No one employee does any one particular job all day. They switch from one activity to another, and it would be administratively, like, impossible for them to keep track of the hours of their employees.

And this bill is not here to burden businesses. The YMCAs -- I have a lot of respect for the YMCAs. They do great work. They certainly offer kids an opportunity to get swimming lessons, to come to daycare, to have all kinds of athletic activities. And the same people are doing jobs for an hour or two here or an hour or two there. And it was just -- they proved their point, and we accommodated their request.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. I thank Senator Prague for her answers.

Thank you, Senator Prague.

Madam President, I rise in opposition to the amendment and the bill before us. And I think the answers that Senator Prague has given to my few

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questions only highlight the inconsistencies and outright hypocrisies in the measure before us.

The YMCAs have been taken out of the bill because they claim that it's confusing for them to keep the hours of their employees, but no other employer suffers from that problem.

I'm -- I'm on the board of the trustees of a YMCA, Senator Prague, the Westport YMCA. It's a fantastic organization. You know what they are? They're the largest daycare provider in the Town of Westport.

So here we are passing a bill and everybody who supports it says this is about food service, childcare, eldercare and, yet, the largest childcare provider in the Town of Westport is exempted. So I guess some children are more important than others. That's what you're saying.

Unless we've made a political calculation to get votes, we're saying that the children who are serviced at a YMCA don't deserve the same treatment as children elsewhere. We've been told that this is critically important to food service personnel because we don't want people getting sick from the food they eat. Yet the largest provider of food in my town, and I dare

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say any town in the State of Connecticut is exempt from this bill.

Today my three kids are going to be served food in a lunch line, two of them at public schools in the town of Fairfield. Thousands of kids are going to be served food in a lunch line, but we're not going to require our towns to live up to that. It's okay if our kids are served food from someone who's sick, but it's not okay if someone goes into a restaurant. It's okay if someone goes into a restaurant where they have less than 50 employees and that person gets sick, but it's not okay if they go to a restaurant of more than 50 people.

I heard Senator LeBeau talk and he talked about academic research proves. That's exactly what's wrong with this bill. It's about academic research and theory. Has anyone in this Circle had the experience I have. I've worked in a restaurant, in the kitchen, as a busboy, as a waiter. I've managed a food business and owned a food business. Anybody who's been in that position would say this academic research is a bunch of bologna.

You know Senator Gomes talked about the waitresses and the waiter and why shouldn't they be

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treated the same. You want to know why? Because in every restaurant in the history from kingdom come, waiters and waitresses have worked off of their week or two week schedule. They trade shifts. That's what happens. Why do they trade shift? Because they don't want to get paid the minimum wage because most waiters and waitresses, thank God, make more than that because of their tips. The restaurant industry works on the waiters and waitresses with a manager coordinating their schedules.

As someone who managed and owned a food business, I can tell you the number -- and have taken the food test in Connecticut so I know how you serve food and what you do -- I actually did pretty well in the test, too -- the first thing I looked for, the most important thing we look for in our business was to find out if the chef or the assistant chefs or the food service people were sick because as soon as they were, they were sent home. Why? Because if they stayed, it would destroy my business.

You actually think you know more how to run a food business than the person who's been doing it for a living. That's what this bill says. We know better how to run a food business. There isn't an owner or a

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manager of a food service business in the State of Connecticut who would allow someone who serves food to come in with the flu or a cold and sit there and serve food. If they are, they're going to be out of business pretty quick.

I had someone lobby me on this and they said, You know, I needed this. I actually sneezed in somebody's food. I had the flu and I coughed on somebody's food.

That's disgusting. It really is. And I don't think there are people who do that because I think people care.

Why are we exempting manufacturers? Why are we exempting YMCAs? Why are we exempting our towns and cities? Why are we exempting businesses under 50 if this is, as Senator LeBeau said, something that's going to save money? If it's going to save a business money, why don't we apply it to all businesses?

And just a caution, just a caution to my friends in the circle who I need to get the YMCAs out and now I'll vote for it, they'll be back in. They will be back in. It might not be next year, but they will be back in. Just a caution to those who say I'm against this bill but now that the manufacturers out, I'm for it. They'll be back in, too.

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So no state in the country has passed mandated paid sick leave. We're smarter than 49 other states. Our unemployment rate is at 9.1 percent. It is higher than the national average. We've lost jobs since January to Massachusetts, Rhode Island and New York. We are losing more jobs than we are gaining.

The Governor says Connecticut is open for business, but he's closed the door. This sends the message that Connecticut is not friendly to business.

Let's talk about those restaurants for a second. If you own a restaurant -- I have a friend who owns, I think, five or six restaurants, employees a couple hundred people in the State of Connecticut. Someone who's going to get paid the minimum wage because we all know waiters and waitresses get paid less than the minimum wage with their tip credit. They are home sick on a sick day. They're going to get paid that minimum wage for eight hours of work that comes out to maybe 60 or 70 dollars. They're going to take five paid sick days a year. That's going to be \$300 plus for that employee. Times that 300 -- times that \$300, times the 300 employees he has, that's \$100,000 and that's the low end because the chefs and the people in the back line make more than minimum wage, thankfully,

significantly more than minimum wage.

You go -- you go ask your local restaurant how would you like taking a \$20,000 hit? Better yet, if I put an amendment on the floor that said we're going to tax restaurants, of more than 50 employees, \$20,000 a year, how many people here would vote for it? But that's what you've done. That's what you've done.

The idea that this bill saves employers money is phony. You cannot look a restaurant owner in the face and say you're going to save money. If it was going to save money, we wouldn't take the manufacturers out and they wouldn't be here screaming.

And, unfortunately, I don't think Senator Prague's answer is going to help those businesses that are under this that do have -- that do have collective bargaining agreements.

And here's the other thing this bill does, if you have a collective bargaining agreement or employees are part of a bargaining agreement, they have their grievance procedure. They've negotiated it, they've bargained for it, they're entitled to it and that's a good thing. But under this bill, if there's deemed to be retaliatory action taken against an employee who is part of a collective bargaining unit, not only do they

get to use that grievance procedure, but they also get to use the grievance procedure that's set up in this law. So now as an employer you have to fight two battles. That's not going to cost less money in paperwork, in time and administration. It's going to cost more.

We continue to pile on higher taxes and costly mandates on our businesses, and we turn around and we say well why are they leaving? We turn around and say why is our unemployment rate at 9.1 percent? Why is Connecticut, by any measure, any measure, rated as one of the least friendly states to do business? Because of bills like this, because of bills like this.

I know the intentions of those -- Senator Prague, you've worked on this for years. I know your intentions are good.

But when we talk about theory and academic research, it only highlights the fact that this is not based in what's happening in the real world. In the real world this is going to cost the restaurant owner money.

There is probably no other business that has a higher failure rate than food service or restaurants. Last time I looked, well over 90 percent are not in

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business for more than a year. It's a tough business. They operate on extraordinarily low margins. I know because I tried to run one. If you want to talk about a 10 or a 20 or a 30,000 dollar hit to that business, I guarantee you that they will make up that money by cutting their personnel. And when that person loses their job, you ask them, Would you rather have your job and no paid sick leave? And I bet you their answer is going to be yes. Because there are going to be people who are going to lose their jobs or people who are going to be have their hours cut so they don't comply with this bill.

A couple of years ago, we had some small business owners up to talk about this bill. A gentleman stood up, talked about the business he built. I remember the reporters asking questions.

In fact, Mark Davis asked the question, How many employees do you have?

The gentleman said, I have -- it was in the forties -- I don't remember the exact number.

He said, Well, then you're not covered under this bill.

And he goes, You're missing the point. I want to be in the fifties, in the sixties, in the seventies,

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but now there's no way I'm going to add that 50th or 51st person because the costs of this bill are going to far outweigh adding that extra person or two.

So there are companies, there are companies that have 40, 45 people employed who will not go and hit that 50 mark so this bill applies to them.

What do we say to those people who don't get that job? Well, thank God, there's some people who will get five paid sick days. Our unemployment rate is still 9.1 percent. We know you're struggling but thank God.

Senator Lebeau made what I thought was a strange observation that this is like unemployment compensation. As I understand it, unemployment compensation applies to anyone. You work for a company of five people and you're laid off, you get unemployment compensation. You work for a manufacturer or a YMCA and you're laid off, you get unemployment compensation.

This bill picks and chooses. This bill, which purports to be about public safety and public health, says if you work for a company of less than 50 people, if you go to a restaurant that employs less than 50 people, your health is not protected. So maybe we

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should have an amendment that puts a sign up on the restaurant door that says we're less than 50 people, our employees don't have paid sick days because we want to protect their health. That would be a good amendment, in fact.

How do the people of Connecticut know if they want their health protected whether the restaurant is going to have paid sick leave or not? Maybe it's a question you should ask. Are we -- are we really saying that this isn't going to cost money to a restaurant owner? Is that really the argument? You have to pay two people to do the job of one for five days a year times every employee you have?

There was a study that came out, I think a couple of years ago. They did -- they did an internal audit of the IRS. And they found that over 50 percent of the people used their days off on a Friday or a Monday or a Tuesday after a three-day weekend. That doesn't make them bad employees. It just makes them like all the rest of us. If you can get a day off, why not have a long weekend with your family? Your employer is giving it to you, you can use it whenever you want.

Now I know that's not exactly this bill but the very notion that somebody -- and some people aren't

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going to necessarily use this when they don't have to -- is sort of dreaming. I'm not saying it's going to happen with most of the people, but it's going to happen with some. And that restaurant owner is going to be paying for that. How many businesses when we say you have to pay two people to do the job of one and then tell that business, by the way, this is going to save you money.

I'm going to keep my remarks brief, Madam President.

What I hope I will not hear, as the session continues and we move over into next session, is that when a restaurant goes out of business or some employees are laid off, or some workers have their hours cut so they don't qualify, when more companies leave the State of Connecticut, when our unemployment rate hovers at well above the national average, I won't hear people throwing up their hands and saying, well, we don't know why it's happening. It's happening because of what we're doing in this building.

And if you don't think there are other states out there waiting to eat our lunch -- pun intended -- when we pass these types of mandates, you're fooling

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yourself.

Chambers of commerces, business groups, governors in other states work our businesses, lobby our businesses and they make fun of things, like mandated paid sick leave. Come to New York. Come to Massachusetts. Come to South Carolina. We don't have these mandates. By the way, our taxes aren't as high, our health insurance mandates aren't as high, but we're also not going to do this stuff to you.

It's telling that only San Francisco and Washington DC have done this. It's telling that New York City looked at imposing paid sick leave mandate and the New York City City Council said we can't do it, it's too expensive. It's going to hurt our businesses too much. It's telling that 49 other states understand that this is bad for business, not good.

Madam President, there are a lot of questions about this bill that -- that I know people will have. But the overriding message here is that passage of mandated paid sick leave tells our businesses in the State and tells businesses outside of the State, you're not really as welcome here as you'd want to be. It tells other states come get our people. And when

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this happens and we know it's going to pass, there will be people who hour -- whose hours are cuts -- cut, there will be workers who will be laid off and there may even be a restaurant or two that can no longer survive.

We're in the worst economic recession in the 47 years I've been alive, and we're asking businesses to pay more, pay more in higher taxes and pay more in a mandate. How that is a recipe for economic recovery misses me. It doesn't work in the real world, and I would argue it doesn't even work in the academic research world.

Thank you.

THE CHAIR:

Thank you, Senator.

Will you -- further?

Senator McKane -- Senator Kane, sorry.

SENATOR KANE:

Thank you, Madam President.

You know I've -- I've said this many times in this circle and certainly in committee that I'm a small business owner. I opened my business in 1994. I'll tell you my age. I was 27 so you can figure out -- figure that out do the math. But, basically, I

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wanted to have an opportunity to earn a living for myself at the time, you know, prior to getting married, having kids, the whole works. But just taking a chance, taking a risk and trying to open up my own business.

And first thing I did, obviously, was look for a location, had interviews with certain employees and then I started to promote my business. And knock on wood, I've been fairly successful for 17 years doing what I do.

I'm not a bad guy and I think a lot of the attitude in this chamber is that businesspeople are bad guys. We think that all businesspeople are MCI and Enron and Bernie Madoff, and we're all robbing everybody blind. But it's not true.

The backbone of this economy in the State of Connecticut is people like me. People who are just small business owners willing to take a chance, put their life on the line because they have to go out and get a loan to -- to try to start a business and try to open a business and want to earn a living for our family. And at the same time what we do is give back to the community.

I can't tell you, Madam President, every day

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about how many requests I get from this Little League or this Boy's Club or the local ARC or the local church group or the high school and what have you. And I do it all because I think it's the right thing to do. And I also think that because it will pay dividends for your business, as well, and it does. And that's what you have to understand is that people in business are good people. They want to make a living for their family and for -- for their employees, provide their community in effort and -- to people to have jobs.

This kind of legislation doesn't do that. It inhibits that. As Senator McKinney said about the gentleman who had just less than 50 employees, there's no incentive to get to 50 employees. Why? If you're going to get taxed more.

We just saw the greatest tax proposal in our State's history, 1.6 billion, with a "B," billion dollars in new taxes for the State of Connecticut. We're going to probably take up a bill very soon about captive audience and -- and limit the discussion that employers can have with employees. We already saw in the Hartford Courant yesterday that Overstock.com is pulling their ads from Connecticut because of the

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Internet sales tax and then in addition to that is 1800PetMeds and a whole host of other businesses.

You have to be in business, I guess, to understand. You really should take a chance. One day when you're out of the legislature and you say, You know what? I'm going to open a little cafe, I'm going to open a little bookstore, I'm going to open a little convenience store, whatever.

I want you to do that because you'll see how difficult it is to be in business and how the burdensome regulations that we have in the State of Connecticut are driving businesses down.

I have a -- in my district, I have a Lake Quassapaug Amusement Park. You may have heard of it. It's a great little park. In fact, they just put in a new rollercoaster. It's been around, I think, close to 100 years. Family-owned business, it's generation to generation. They have a great number of employees, in fact, over 50 employees and a lot of them are part-timers. College kids, high school kids, they work the summer. You know, they get time after school or they have the summers off and they -- and they certainly work in -- in all the different amusements or at the rides. They have a beach and a lake there

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so they work there as well. This is going to affect them.

We also have a guy by the name of Joey Caiazzo, who owns Frankie's Hot Dogs, and I'm sure you've all heard of Frankie's Hot Dogs -- especially when Governor Rowland was here -- but Frankie's is the hot dog king. They truly are. And he's got a same situation. He's got a great number of employees that are teenagers; that are college kids; that, you know -- to some earlier points -- they're single moms. They're -- you know, these are also people who -- who are, you know, in entry level positions. And you're hurting them. This bill hurts them.

A good friend of mine is Carmen Vacalebri. Carmen, Madam President, owns the Carmen Anthony Restaurant Group. Carmen was born in the Brooklyn section of Waterbury. And I don't know how many of you know that section but, you know, it's a tough neighborhood. In fact, I lived there growing up myself. And he raised himself out of the Brooklyn section of Waterbury and went to Hamburger University. And I don't know how many of you know that but the McDonald's Corporation has a wonderful program to implement managers and rise people through the

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ranks -- and he rose through the ranks. And he opened a little restaurant called Me Ma's, and then he opened a number of Arby's and now he has the Carmen Anthony Restaurant Group, which I'm sure a lot of us attend and go to because they do a great job. There's one in Woodbury in my district.

He's a good guy. He's a good guy.

Then this weekend I was up in Boston and we stopped for lunch at this local place and it was in the south end of Boston and this area is coming back to life. It was really had a lot of troubles for many -- a great number of years. And we met a guy by the name of Sean Simmons. Sean Simmons is a local guy who grew up a Southie, grew up in the South End of Boston who decided to open a restaurant because that's what he knew. He, you know, had been working in that type of field.

So we sat and talked to him and this particular restaurant that he had in the South End was doing okay, but he's only been there a year and he was trying to get it going, trying to get his feet under him. But he said, You know what? As you're walking around the city, take a walk up Boylston Street -- and if any of you go to Boston, Boylston Street is really

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nice -- he said, You go to my place, it's called the Parish Cafe in Boylston but you can't get in because it's so busy. They do such a great job.

So I started -- he ended up coming to that establishment--as well and we were chitchatting and you know, of course, you get into what do you do, and I said, well, I'm in the legislature in Connecticut and I started talking to him about this bill.

And I said, You know what, Sean, that's coming to you next. If it passes in Connecticut, it's coming to Massachusetts.

And quite honestly, he was probably shocked because Massachusetts tend to be far more left of what we do here in Connecticut. I think they used to call it Taxachusetts if I remember correctly.

But Sean was a good guy, a nice, nice man. You know and he does a lot for his community. And I bring these things up because what we're doing here is hurting these people. We're hurting these businesses. If you don't think so, you're wrong because what's going to happen is extra taxes, extra burdens, extra fees. I have a fee in my location, we have a TV/Radio repair license that we do every year for the State of Connecticut, and it went from \$100 to \$200 in one year

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-- \$200. I have a small little store and I pay \$200 a year for my fee, a TV/Radio repair license.

Also, lest we forget, the Business Entity Tax, that all businesses pay, \$250, just for the sake of sticking your key in the door, turning it, opening your business. You pay \$250 with no benefit at all. Now that was supposed to sunset many years ago but it's still here.

We are talking about burden after burden after burden. And when Senator McKinney says that businesses are going to close, let me tell you, he's right. Businesses will close because of this legislation. At best, they will reduce their workforce or not expand their workforce to get to this 50 plateau.

I remember in the Appropriations Committee Senator Prague talked about San Francisco, the City of San Francisco. Well, a study was done in San Francisco that said 30 percent of employees in the bottom fifth of earners reported layoffs or reduced hours. So let me just say that again, 30 percent of the bottom earners, the bottom fifth of earners, reported layoffs or reduced hours in San Francisco because of this legislation. So when you stand up and

you think you're saving or helping this individual who's on the low end of the pay scale, you're not, you're not. You are actually hurting the very people that you think you're going to help because businesses can't afford this. If they can't afford it, unlike the government, they can't go out and raise more taxes, raise more revenues, you have a budget, you have certain revenues based on your sales and you have to meet those revenues. If you don't, you reduce costs. They can't just go and add a new tax. They can't just increase their prices. They're going to lose that way. So what happens is you're going to reduce your costs. And the biggest cost for any business is payroll. Greater than the rent, greater than anything else, it's payroll. You will reduce your payroll if that's the case -- reduce it down from 680 hours or from 50 employees.

It makes sense. Why wouldn't you? What we should be doing is giving these businesses incentive to grow. Why not give them an opportunity to give them incentives to expand their payrolls, expand their business? Because when you do that you create more jobs and then you have more taxpayers rather than taxes. It's simple economics. It's very simple.

This right here -- this stack is literally all the people that came to testify against this bill. Look how thick this stack is. These are all the people who came to testify against this bill. Businesses that stood up and said this is bad legislation. So we're going to go against all these people and what they have to say? There certainly in all of our districts I'll tell you that. There not just located in 32nd. There in all 36.

But no, we're going to add a new tax. We're going to add a new burden. We're going to add a new mandate. We're just going to pile on and pile on and pile on and kick these businesses when they're down. The worst economic activity we've seen since the Great Depression, yet, we're going to just pile on more. Does that make sense? Are you helping the people that you think you want to help? You're not. You're certainly not.

Madam President, as we move on, I will certainly have a great number of questions for the proponent of the bill. I don't want to interrupt her right now.

THE CHAIR:

Thank you, sir.

SENATOR KANE:

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But I got to tell you this is a bad bill and it hurts good people.

Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Meyer.

SENATOR MEYER:

Good afternoon, Madam President.

THE CHAIR:

Good afternoon, sir.

SENATOR MEYER:

There are bills that come before a legislature which we struggle with. There are bills in which we see the pros and the cons. We weigh the balance. There are many bills in which we don't have that kind of a problem. This paid sick leave bill is one of those bill with which I, as one legislator, have struggled in recent years.

The constituent communications concerning this bill have been remarkable. We have received in my office, since January, over 2,000 letters, postcards, e-mails and telephone calls in support of paid sick leave. That is a remarkable statistic in my district

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and probably in yours, as well. Over 2,000 constituents in my district saying paid sick leave will make an important and positive difference for us.

We have also received some concerns and those have primarily been from restaurant organizations who -- who fear the cost factor and indeed as the Senator said, the Chair of the Commerce Committee, there is a cost -- there is a cost factor for businesses, particularly for restaurant businesses.

You know I've had to -- because this is one of those pro and con bills, I've had to look at this very carefully, and I found that the lack of access to paid sick days means workers and their -- and their family members are actually foregoing or delaying medical care. Parents, without sick days, often have no choice but to send their children sick to school. We found that five times as many parents without paid sick days report taking their child or a family member to an emergency room, and we all know the cost to all of us of so much emergency room treatment.

We know also from our studies that people without paid sick days are 1.5 times more likely than workers with paid sick days to report going to work with a contagious illness, a bad cold, a flu, a virus or

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whatever. And we know that in the peak months of the H1N1 flu epidemic in 2009 -- this is a proven figure -- that 8 million workers, in round figures, went to work sick and are estimated to have infected over 7 million of their colleagues in the workplace. So this bill does have a good purpose.

I have been on the fence about this bill and let me tell you why and how I resolved it. I have a great YMCA in my district. It's called the Soundview YMCA. It -- it serves a whole -- a whole region. And that Y came to me about three weeks ago and said that the paid sick leave bill would cost Ys in my area -- and particularly the Soundview Y in my district -- \$166,785 in the first year. They measured that costs and that was the cost they said. This Y was, of course, a nonprofit. Senator McKinney talked about why Ys are exempted. YMCAs are nonprofit organizations that don't make profits that run very close to the line that are basically trying to raise money from the public and from their members to pay for the services they give.

Nonprofits could be even more hard hit, much more hard hit than any other part of our economy by an increased cost -- the cost that I was given them

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\$166,785 in the first year. Indeed, my YMCA said that if -- if the paid sick leave was passed and they were not exempted that they would be required to cut program or cut staff or cut both program and staff.

This is a remarkable YMCA. It's probably my most significant constituent in my senate district. We had no public swimming facilities in my district until this Y came in. We had no organization that providing the kind of facilities this Y provides. It was about -- about a \$15 million project. It provides two large swimming pools. It provides a wonderful fitness center, state-of-the-art fitness center that's highly used. There are now more than 7,000 members at this Y, in this -- just this one Y in my district. It has not only these fitness centers and exercise rooms but has classrooms, and then there's daycare. And it -- it is -- there's a state-of-the-art in terms of providing a quality of life for -- for our body, mind and souls to so many of my constituents.

And realizing that potential, Representative Widlitz and I went to the State -- went to Governor Rell and went to you three years ago and we told -- we told you about this potential of this facility in the region, on the shoreline, and you and Governor Rell

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said this is a good opportunity for the state, and we got a state grant of \$1 million for the Soundview YMCA. And I was privileged to take a shovel and put it in the ground to start this going.

So I want to tell you in the context of the Y coming to me and saying, don't vote for that bill unless Ys are exempted, that I could really understand that. And I felt that I was serving my constituency and making a balanced judgment. So it really is for those reasons that I -- I say to you and to my constituents I'm going to vote for this bill. And I urge many of you to consider the broad positive repercussions if we don't vote for this bill.

Thank you.

THE CHAIR:

Will you remark?

Senator Welch.

Good afternoon, sir.

SENATOR WELCH:

Good afternoon, and thank you, Madam President.

I rise in opposition to this bill. And I've heard a lot about what the real world is telling us, and I've heard a lot about what academia is telling us. And I'd submit to all of you today that both --

that both are telling us don't do this.

In this state, we are bludgeoning our employers. Before I got here, I just got a call from my wife who got a call from a friend of hers who's a pharmacy tech who just got laid off. And she just got laid off because of the legislation circling around in this building. And that breaks my heart. And what are we about to do? We're about to strike another blow to the employers in the state of Connecticut.

Let's start with the real world. Senator Kane showed you. This is the testimony from our constituents -- from the employers of our constituents that say don't do it. In Branford, they're telling us, this bill is going to push us over the edge. They're telling us that our future growth will be outside of this state from here on out. In Bridgeport, they're saying that we're perpetuating underemployment. In East Hartford, they're telling us they're not going to be able to compete with Massachusetts, Rhode Island and New York if we pass this bill. In Farmington, it's more of the same. We're going to force companies to totally rewrite their benefits packages because we're passing this bill, and it's not going to be good for the people

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that we purport to be protecting with this bill.

Friends, that's -- that's what the real world is telling us. But -- but academia is saying it as well. When they looked at passing a similar bill in Ohio, Cleveland State University said that this bill would increase the cost of labor by 7 percent in that state. We're going to increase the cost of labor. New York City considered this and rejected it. Why? Because they hired an accounting firm to do a study on the impact of the businesses within that city, and it was going to increase the cost of business by \$789 million.

And let me tell you that's a real cost, because when you look at other academic studies like UC Irvine talking about increases to the minimum wage and how just a 5 percent increase in minimum wage will cause an increase in unemployment amongst female dropouts between the ages of 20 and 24, and African-American and Hispanic men between the ages of 20 and 24, as well. Friends, the people we are saying we want to help by passing this bill, we will be hurting by passing this bill.

And it begs me to ask this question of us. Where's our study? Where's our study? Senator Gomes

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says we've been at this for years. Where is our study? Do we know what the consequences are going to be if we pass this bill? Have we looked at it? Where is our study? You know, one of the industries we've heard a lot about is the food services industry, but there's another industry that this bill is going to impact greatly, and that's the construction industry. And I think we could all agree on one thing today here, and that is we would like to see cranes in Hartford. We would like to see cranes in Bridgeport. We would like to see cranes in New Haven again. And passing this bill is going to prevent us from seeing those cranes as fast and as many we would like to see.

We are not blazing a new trail here. You've heard much about San Francisco. San Francisco has enacted this law. And people cite to San Francisco as a testament as to why we should have it. You heard Senator Kane say, well, hang on, what happens in San Francisco wasn't a good thing. And there's more to the San Francisco study because people tell us that by passing this bill, sick people aren't going to go to work. And so it's a public health issue. And we are going to be helping the health of the public by passing this bill.

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Well, in San Francisco after passing this law, they saw only a 3 percent decrease in sick people not going to work, 3 percent. I question whether that benefit is even close to being worth the cost that we are going to exact on the employers of this state. - - -

Madam President, I have much more to say. I've got questions to come. I feel that there are others, though, at this time who would like to share their thoughts and so I rest for now.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Frantz, as I look to my left today.

SENATOR FRANTZ:

Thank you, Madam President.

The Clerk started out the debate today by referring to an insane amount of amendments on the docket. I don't think all of them will be called. But I think there's a direct relationship between the number of amendments that have been filed on this underlying bill or now the amendment that was just introduced about an hour ago, a direct relationship to the number of individuals and entities testifying

against this bill.

Yes, there were some that testified in favor, but if you check on the CGA website to see the number of testimonials, you'll see, I think, what has to be a record number of testimonials. And many of those --- the vast majority of them, as far as I can tell, were speaking out in opposition to this bill.

Today it strikes me that there is a lack of communication between the two chambers and the Executive Branch. Because if I remember correctly a couple of months ago the Governor said that the State of Connecticut is, indeed, open for business. That to me, as someone who cares deeply about economic development because that is what creates the greatest value for the citizens, taxpayers and children of the State of Connecticut, because it's opportunity, it's employment opportunity. It's what keeps state government alive because it ultimately does generate tax revenues to the State of Connecticut. We could turn around and do good things with those revenues, but this -- unfortunately, this bill speaks against being open for business.

To me being open for business is rolling out the red carpet for businesses, for business decision

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makers, people outside the state of Connecticut who decide at some point they might want to move Connecticut. They might want to move their operation here for whatever reason, or just as importantly, if not more importantly, companies and management teams in the state of Connecticut who would like to stay here. They may see a red carpet, but with initiatives like this I think it's more like a trap door that's been placed in front of them because when you come to Connecticut, if this bill passes, you'll be paying a lot more, not so much in taxes, not so much in all these other charges and expenses that are the highest in the nation in Connecticut, we all know for a fact, but you now will be paying an additional charge for having employees who will be subject to the benefits of this bill if it goes through, which means it's going to cost 2, 3, 4 -- as much as 7 percent to each individual employer going forward. That, to me, is a direct conflict to being open for business.

So I wish the communication was a little bit better between the Executive Branch and the Legislature or vice versa because we're going two different directions here. And it strikes me in this initiative that it's -- that it's about as anti

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business as -- as you can get. Our system of capitalism, or whatever you want to call it, has worked magnificently well. Again, it has made our country the greatest, most altruistic, most influential country in a positive way in the history of mankind. And that's mainly because what our system does is it lines up the individual interests of employers, managers, anybody who works for a company with the collective whole, provided you have some management input into that and some -- some accountability, and the system works.

When you start to regulate, when you start to put in conditions, such as paid sick days, you start to strain the system, and you start to take away the magic that you see in the eyes of an entrepreneur or the person who's running a company that's 50 or 75 years old and has a certain culture but now is being adversely affected by a law, a proposed law here that would change things.

It changes the -- it the changes the mentality. It drives a wedge, I think, between the employer and the employee, and we're talking about a whole lot of different industries here. And I think we all agree that jobs are the panacea -- they are the cure-all for

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our ills. If we could -- if we could double the number of jobs in the state of Connecticut, what a different state we'd be. We'd have incredible revenue resources. We'd be able to do so much more as a state government, and we wouldn't have to take care of so many people who don't have jobs these days. And I think we'd also all agree that a job is one of the best programs that anybody can be involved in in their lifetimes. It gives you a sense of identity. It pays the bills. It allows you to raise a family. It allows you to, maybe send your children to UConn and pay in-state or out-of-state tuition because you can actually afford it.

We have lost over 100,000 jobs. It's probably even well in excess of 100,000 jobs here over the last 20 years or so in Connecticut. We're a post industrial mature, perhaps post mature, economy in the Northeast. We have to be cognizant of that. We have to admit that to ourselves. We have to do everything we can and be as aggressive as we can to recruit new companies and to allow new entrepreneurial ideas to exist and to come to the fore in Connecticut.

Four years ago a company that I think most of you have all heard of came to visit Connecticut because

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they were looking for an alternative site to build what's known commonly as the Dreamliner, the Boeing 787. Boeing management came to Connecticut to see if Connecticut would be a great place to build subcomponents for that particular aircraft. It was a short meeting, unfortunately. They looked at the data. They looked at a whole slew of different things that they typically look at and decided that Connecticut, despite its incredible aerospace heritage, it just wasn't the right place for them, and they ended up in South Carolina.

I would argue that we need to, as a state, we need to be number one, not in passing a bill like this, we need to be number one in terms of our competitiveness and in areas that we can, indeed, be -- be proud of. We need to direct our efforts at creating incentives. And since this is a bill that is purportedly concerned with healthcare, with not spreading disease and sickness in the workplace, what we should be doing is focusing our efforts on creating incentives to get people well, to be educated about when they're sick, to not go to work. The system works.

We -- we've talked to so many people in private

industry, whether it's the restaurant business or any other service-oriented industry, and managers will tell you they have a system that works, and in many cases it's not the management system or management approach to dealing with sick employees. It's the employees who work it out amongst themselves. We all know restaurants. We all know healthcare facilities where nurses or workers at the restaurants will work these things out with themselves. Management doesn't even, in many cases, have to worry about that.

We're in the business of the fast food, healthy restaurant industry. And we have about 380 employees and there hasn't been one issue with trying to -- and successfully, covering someone who was out sick, and that's during some pretty bad -- this is over the last six years -- going through some pretty bad flu periods, and in a period when there was one influenza that looked as though this was going to be unstoppable, but you work it out. Management sets up the guidelines, and the employees work it out. And incidentally, the bulk of those restaurants are -- are in New York City, some are in Washington DC.

And we've looked at Connecticut and that's even before looking at a piece of legislation -- proposed

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legislation, before us. And unfortunately, the decision for right now is we cannot come to Connecticut. We know what the taxes are as of a couple of weeks ago. We know what the new taxes are, and it's not just corporate taxes. It's income taxes. It's -- it's taxes that hit you in so many different areas. We don't know what the healthcare -- genuine healthcare costs are going to be in the state of Connecticut. We don't know whether a captive audience bill is going to be passed in the state or not, but we do know that if it is, we will not have the flexibility of being able to put together a group of employees and talk about anything but the -- the pure operational aspect of putting together quickly a very healthy meal for -- for people who come to the restaurants. There's too much uncertainty, and we need to look at that. We need to figure out here, in Connecticut, why -- why we've lost so many jobs and why people are not banging our doors down and beating a path to us.

We've seen a lot of companies here just in the last couple of days decide to cut their ties with Connecticut, Overstock.com and PetSmart.com and -- and a variety of others. Now these -- this is the tip of

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It's counterproductive and it -- it hurts companies at the end of the day, not just financially, but it hurts companies culturally and performancewise and efficiencywise. And let's not drive a wedge between the State of Connecticut and the employers who we so desperately need in the state of Connecticut.

And thank you very much, Madam President.

THE CHAIR:

Thank you, Senator Frantz.

Will you remark?

Senator Bye.

SENATOR BYE:

Thank you, Madam President.

I've been sitting quite a while this morning compared to yesterday so I thought I'd get up. I'd like to thank other senators for their comments so far.

This is a complicated issue. And I think as those of us around the circle are thinking here contemplating it, I wonder how many of us right now couldn't take a day off if our child was sick or if we were sick and worry about having this job tomorrow or the next day. It's hard -- I don't think I've ever had a job that put me in that position although I've

the iceberg. I really am afraid that we're going to see more and more of this. And we've seen -- in the last two or three weeks, we've seen numerous companies declare publicly that they're not going to make their four and a half million dollar investment which would employ an additional 200 people in the state of Connecticut.

If we leave these decisions to the private enterprises that live and breathe this every day for 10, 14, 16 hours, they're going to come up with a solution that works. A mandated one is -- is dictatorial. It's one that says we're not really interested in seeing you succeed your way. What happened to good old American or Yankee capitalism? It seemed to work for over 200 years. With all the regulations that we're proposing here or have in place already, we're sending out the wrong message.

Incidentally, if you look at one or five or ten of the different pieces of testimony of which there were, I think, hundreds, you'll notice that the Connecticut Restaurant Business Association strongly disagrees with this bill, and they strongly oppose it.

So, again, let's not drive a wedge between employers and employees because it's not necessary.

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been trying to think that way.

My voting record on this bill is very mixed. I voted against it some years and for it some years and that reflects how torn I am about it and have been about it over the past several years. And I'm not torn because I don't care about sick people. It's not why I've been torn. And I haven't been torn because I don't care about business and bringing business to the state. Our employers have a véry tough job. And all you have to do is meet a small business owner to know how much taking care of their employees and keeping their jobs means to them so I don't question them.

I'm torn because both sides of this argument have valid points, have solid points, have a point of view. And those of you who have been lobbied on this, you see, if you make up your mind early and you know which are going to do, you don't get lobbied that much. But if you're really thinking and you can't quite make up your mind, you'll get lobbied by both sides. And I can tell you both sides are incredibly energized and worked up about this bill. They believe deeply that it will either hurt or help our state, both make economic arguments, both make public health and jobs arguments so it can be difficult to weed through.

I would say a couple of years ago when the downturn first -- first hit what I was most worried about was the image this would portray being the only state that has paid sick days and that continues to be one of my worries. But I can tell you at this point, given how this bill has changed over the past several years about who's covered and how they're covered, it has now been significantly shrunk. It's been made so that I believe it has very minimal cost to employers. And I've probably been to at least 15 businesses since our session has started, and I've asked each one of them, so tell me, and they'll say -- some say -- half of them would say, I hate that paid sick days bill.

And I would say to them, So you don't provide paid sick days?

And virtually every business -- I would say 15 out of 15 -- offered paid time off whether it was a sick day, a vacation day or some other -- and I was only visiting small businesses. It's not like I was at a lot of big retailers, but they virtually all offer this in one form or the other. And so right now what this bill says is that if you have a sick child, if you're sick, if you have preventative care, there are delineated reasons, things that employees do need

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to leave work for, a doctor's appointment. It's hard to get time off for preventative care and to go to your annual physical. These are the things that are covered by this bill. And it's -- it's five days off, whether that's paid leave, vacation, personal. If an employer gives any paid time off that add up to five days, it's covered. This has changed significantly since the bill was first introduced. It's really been narrowed.

I have a particular interest in manufacturing and -- and unlike, you know, I know, here and in other business settings people like to stand up and say we're the worst place so tough to do business. Meanwhile in the past 12 months, we've grown manufacturing jobs. If we'd all stop talking about how awful things are all the time and how terrible it is and how were losing manufacturing jobs, and started to say, you know what, we have a highly educated workforce, we have a manufacturing base that's growing.

I've had heads of companies -- heads of manufacturing firms who've said to me, I can hire 400 people, but I don't have the qualified staff, we need to get more machinists or -- or whatever the position

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is.

So I believe in Connecticut and in its ability to grow manufacturing jobs. And we're showing that now.

Now I -- I know that Senator Prague explained that -- that I did ask for an exemption for manufacturers. I was really struggling with, you know, how they were positioned, and I want to do anything we can to jumpstart that particular part of our economy because for every job they have they created another four jobs. And all you have to do is walk around downstairs to see all the component parts so it's -- it's an important sector, and so I wanted to have that exemption. As I've said, it's been a -- it's been a challenge. And Senator Prague agreed and was very gracious because she, too, understands the importance of manufacturing.

That's not to say other industries aren't important. I know Senator Meyer was concerned about the YMs and the YMCAs were uncomfortable with this but in fact, the YWCAs were strongly in favor of this bill. So I guess I just wanted to lay that out and say that, ultimately, who's left in this bill are the service workers and people who interface with the public. The people left after all these years of

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exempting different groups are people who can least stand to lose an hour's pay or a day's pay. They can least stand to have their child sick and have to stay home with them because they won't be able to make their rent so we're talking about a benefit. We provide benefits with things like Workmen's Comp to protect workers in unemployment, and employers bear this cost and they -- I'm sure they'd rather not, but this is something else that we, as state, are saying we believe this is important to offer.

So I think Connecticut's a place -- I believe our manufacturing is going to continue to grow in other industries as well. We have a great workforce. I think we have some leadership now. I had someone say, well, we just sent some jobs to South Carolina because it's less expensive, and it is. It's less expensive to buy a house there. It's less expensive to hire labor there. It is. But I don't want my kids to go school in the particular town that they were talking about in South Carolina or do I want my kids to go to school in Mexico. I live here and so does a whole -- so do a whole bunch of people who have a lot of skills who can be engineers and work for our companies. So our quality of life is important in Connecticut and

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there's some costs that are linked to that.

There was a national report just issued on health and wellness and well-being and education around the country. And Connecticut is number one in what's called a human development index, meaning how educated we are, how healthy we are. And I do believe that this bill will help the public health.

I know -- I believe it was Senator Welch said there was only 3 percent improvement in public health. I don't know exactly how that metric works but 3 percent more people, more healthy going to work turning out from their workplaces to me is a positive things. So I believe ultimately this bill is a small step after all of its exclusions. But the people who need this small thing, need it in a big way to continue to survive in an economy that's challenging.

If any of you've seen the book, "Nickel and Dimed" or if any of you know someone who is trying to live on minimum wage and worried about losing that job, I think you can understand why I came down on this side of the issue. But I think it's important that we don't have an anti business sentiment about it. We believe in our Connecticut businesses, and I believe that this is a small step for some of their

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employees.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark further?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

And, Madam President, it is terrific to be here. It seems like only a few minutes ago we were together on other issues. And it is also a pleasure to follow my very distinguished chair of the Higher Education Committee on an issue that is really quite important, and I believe have the eyes of other states watching us and businesses as well.

I do rise at the moment to oppose this particular bill. And I do so because it really is sending out a very mixed message, a contradictory message. And particularly as it is involved and targets some of our smaller businesses, those that are not perceived as the most profitable but oftentimes function on a small margin.

It has been said that Connecticut is trying to follow a different path, a road less traveled in the

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United States. And it certainly seems to be because as many have mentioned we're facing one of our -- our taxpayers are facing one of the highest tax increases in its history. We're also spending more as other states are spending less. And that we have some taxes that are going to be retroactive, which is going to be quite a jolt to folks coming in August when they get a -- a paycheck that might be deducted for income taxes that have been accruing for the last six or eight months as well as a death tax that is retroactive. This is a concern because there are parts of this bill, first of all, that -- that exempts a number of individuals, day and temporary workers, but yet even though they exempt them, including those that work as performed by a -- an employment agency or temporary help, but yet it -- from what I understand -- and I could be certainly corrected by the chair of the Labor Committee -- that it does count towards a threshold of 50 employees, if I listened to the previous remarks.

Additionally, in this bill, there is a clause in there that does give one pause and it's about the retaliatory personnel actions that are included in this. For businesses, again, that have very low margins are on a threshold, and the very last thing

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they could need is probably legal expenses of things they may have to fight where they may be in the right but the cost of litigation could be higher than maybe some of the fines that are in here.

As I understand it this bill allows a person to accrue one paid sick day for every -- one paid sick day for every 40 hours worked. But that it does start to accrue, starting at only 17 days on the job, which seems pretty extraordinary, if I'm not mistaken.

That's 680 hours of employment. So just working for 17 days, a little more than two weeks, and you start to accrue. I -- it is also interesting -- and the reason why I believe that this is contradictory, because in stating that this bill does not -- will not be costly -- will not -- many have mentioned that there's quite a number of exclusions in this bill, things like the manufacturing industry. If it didn't provide a higher cost to doing business in Connecticut, we wouldn't be excluding them. It does exclude also a number of nonprofits: Big Brothers, Big Sisters, Boy Scouts of America, Girl Scouts of America. And it also excludes the Red Cross. So it appears that both for nonprofits that certainly are on a low margin and have a lower cost structure it also

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impacts the manufacturing industry of our state.

What some may not realize that these low profit, low margin individuals that work at those kind of businesses we're talking about, we should highlight some of them for people. We're talking about community and social service specialists, couriers and messengers, data entry and information processing workers. Now they could be at almost any business, desktop publishers, office clerks, machine operators, receptionists, social and human services assistants, ambulance drivers, bakers, barbers, hairdressers and stylish -- an industry that we're going to add a new state -- state sales tax on this year -- bartenders, building, bus drivers, cooks, dental hygienists, food and counter workers, janitors and cleaners, hotel and motel clerks, medical assistants. The list goes on: Security guards, social workers, taxicab drivers, tellers, therapists, waitresses and -- and waiters.

And one of the areas that I'm particularly concerned about is the area of restaurants. I know individuals have carved out -- manufacturers. They've carved out nonprofits. But one of my concerns because in my seven town district, I must have at least nine

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diners, and I like to visit them as often as I can. And when I do so, I ask them, How's business? How's this economy -- the recession affecting you?

And one of the most popular in my district and the one most heavily used by our area tells me that things just haven't gotten back to normal yet, things are on the margin. And when I explain this bill to that person they were incomprehensible, very concerned and, as was stated by the good senator that 15 out of the 15 that she discussed this bill with already gives some sort of paid sick leave or at least they -- they don't dock their pay.

The issue then is about the flexibility you're eliminating with this bill. The flexibility for those type of businesses where it's a hairdresser or a diner to be able to cut back costs when they can because of extraordinary circumstances like the -- of economy that we have. So when we -- when we reduce this flexibility and why putting this in statute is so difficult even though we know the vast majority of people with a business -- and we've had small businesses ourselves, where we often cut our own pay or didn't take any so the employees could continue to be paid and never did anyone get docked because they

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had to stay home because they were sick or had a child sick. But if you remove that flexibility and then also add the component of retaliatory language in here, you really are causing a severe problem for this area, this group of people.

And I would think our diners and restaurants should also be excluded as well, hopefully, we'll be talking about that a little further down the road. But, again, I'm very concerned about the message this is setting. I don't think it will become a trend in the rest of the country because I think that the case is clearly -- can be clearly made that it is the wrong direction we're going. We don't want to continue to be perceived as business unfriendly, which we are. And it is a reputation that we've gained, not because any of us have mentioned it on the floor of the Senate or the House. It is because that those that -- that review that industry are in that industry that counsel that industry. Many attorneys in my district that do business with startup companies that counsel them on what's the best business model, where they should be located, are telling them not to come here. And it's not just because of our increasingly high taxes, but it's the kind of bills that are constantly being

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proposed here on the floor in this -- in the House, the sentiment, the -- the atmosphere of whether we're promoting something that would be an advantage to businesses or bills, like this, that always it's well-intentioned and may sound compassionate, but at the end of the day, it really ties the hands of businesses, makes it less flexible. And that flexibility is very important, particularly with very low margin businesses that could be on the edge, particularly the diners in my district that this -- they would find this quite a hardship.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark further?

Senator Kissel.

SENATOR KISSEL:

Thank you very much, Lieutenant Governor. Great to see you this afternoon.

THE CHAIR:

Same here, sir.

SENATOR KISSEL:

"I had a little bird and its name was Enza. I opened the window and in flew Enza."

I actually learned that poem from my grandfather who experienced that. I'm going to talk to briefly why I support this bill, and I'm going to break it into three categories.

The first -- and I've never really spoken about this -- is a little family history; second, the merits of the bill; and third, sort of where we are as an environment in our state.

On the family history, I have supported paid sick leave since the very first time it was presented before me. Over the course of the last four years or so, I've gotten to know the proponents. I've gotten to know the detractors. I've heard from my constituents on both sides of the issue. And as Senator Bye very artfully pointed out, there are strong emotions on both sides of this issue.

But why do I come to this issue sensitive to the concerns of the proponents of the bill? Well, as I indicated, my grandfather told me about that poem. And with the indulgence of the circle, I'll go into a little bit of family history that I haven't really shared with anyone. And I want, if you could, to go back to the year 1918. And during that year there was a eight-year-old boy and his six-year-old sister, and

the boy's Henry Joseph Cassidy and his sister is Mary -- and Irish. And it would be fair to say to call them white curtain Irish or lace curtain Irish rather, would be an understatement.

In an upstairs-downstairs, they were the upstairs. They came from a very wealthy family, and that family actually own three oceangoing ships. And for decades up until that point in time, the Cassidys were a very well off family and made a lot of money out of Philadelphia in the merchant trades between Europe and America. So now the year is 1918. And what is going on in the United States of America in the year 1918?

Well, now I want to take you briefly from Philadelphia to Kansas. And in March of 1918, there was an unusual event in the state of Kansas at a place called Fort Riley. Suddenly in March of 1918, 500 of our soldiers between the ages of 26 and 29, the strongest Americans that we had, came down with a disease. No one knew what it was. They thought it was a bacteria. And within a week out of those 500, 48 died. And then the illness seemed to vanish.

Now let me put us back into context in that year. In 1918 that was the second year the United States was

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involved in World War I. And John "Black Jack" Pershing, the general in charge of our European operations, contacted President Woodrow Wilson and said, I need men, we can help win this war on behalf of the allies if you send me men to Europe.

And President Wilson said, I will do that.

And so from March into the middle of the summer of that year, 1 and a half million men, drafted, came through the United States over to the eastern seaboard and poured over to Europe. Many of them, tens of thousands, leaving through the port of Philadelphia.

Good time for the Cassidy family. If you own three ships, take all that men, those government contracts and send them off over to Europe, probably going to make a lot of money even if you've already made a lot of money. The Cassidy family, friends and members of the union club, esteemed members of the society for decades, but what else went over to Europe with that one and a half million men? It was amazing. It was that disease. That disease landed with our troops in Europe in the summer of 1918. And that disease -- and nobody really knew what it was -- began a devastation far more than were lost in the battles in the trenches of World War I.

It is called probably the worst pandemic in the history of the world, the worst. And our men were falling just like folks in Europe and in Asia as that disease in the summer of 1918 spread rapidly. And so those ill soldiers were sent back in the same troop -- ships that went over to Europe.

And here's another interesting twist. At the end of the summer of 1918, this disease morphed, changed, and became far more virulent than it was going over, even though as it was over it was as bad as one could imagine. That summer 80 percent of people in Spain had the disease. That's why it eventually was called the Spanish Flu.

When it got back to America in September of 1918, when the troop ships unloaded in Boston, within a week 2,000 people in Boston, but it hadn't hit Philadelphia yet. Philadelphia has 75 percent of their physicians and nurses were fighting in the war. Their hospitals were understaffed. When it hit Philadelphia, it hit like no other city in the United States, no other city in our history.

And just to take a step back, it's not really in our history books. It's not really taught in school. It's sort of been pushed out of our collective

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national conscience. I think it was so bad that, as a nation, we could not come to terms with it. Between the end of September and the end of October, over 47,000 people in the City of Philadelphia contracted this disease. Over 12,000 people in one month died.

My grandfather told me that because he was Henry, eight years old, and my great-aunt Mary was with him. And out of that over 12,000 people, our family was devastated because apparently my great great grandfather didn't like the marriage and when my great grandparents died in the space of a few days because of this epidemic, he basically disinherited my grandfather and his sister and, basically, sort of threw them to a life of penury and drudgery and poverty. Almost orphans being bounced around whatever family side would pick them up because the greatest mistake was made. My great grandfather married someone from the downstairs, one of the servants. That's how life was at that time. That's how life was.

If one reads the history of that pandemic which was the worst known pandemic in the history of mankind, second, perhaps, only to The Plague of 1349. Think about this, 700,000 Americans died that year.

We don't remember that. But because of my family history and what my grandfather went through, and it had a very negative effect on him going through a life of fair privilege to at 10 years old, hauling ice up three or four flights of stairs because he had to put in his nickel or his dime that week to make sure that they had food, and at the same time keeping an eye on his little sister. Seeing how he was treated, societally by his -- his grandfather, and losing in an instant his beloved parents, it changed his world outlook and it changed mine.

Without getting in too much into the gory details, I mean it was the only time since medieval times where they actually had trucks going through a city saying, please, bring out your dead. They were kept in -- in boxes on people's front porches. In one day in Philadelphia in October of 1918, 1700 people died. They would die in a few hours. They would turn black and blue. Their lungs would fill up with fluid and that was it.

The other point to know is it's taken over 80 years to even try to figure out what was going on. Because the odd thing about that flu was that it struck those between 15 and 40 the most. If you're

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young kids like my grandfather and great aunt, you were spared. If you're older than 40, you were spared. And they're still trying to figure that one out. We think that that can't happen again. But occasionally these things do.

In 1957 in the United States, the Asian Flu hit us, 70,000 Americans died that year, 70,000. And in 1968, the Hong Kong Flu killed 28,000 in our county. We've recently been worried about H1N1, but we haven't seen numbers like we saw in 1918, 1957 or not even 1968. The Center for Disease Control says we're due. It's just a matter of time.

Would a bill such as the one we have before us prevent something like that? Probably not. But I had to tell you a little bit about my family's history to tell you why, when it comes to issues such as this, I'm super sensitive to those concerns.

To the extent we each have life histories, that effects how we view the world and how we vote on bills. Part of what we do is we listen to our constituents in our district and try to be the best the legislators we can be, but we bring to that our own personal prism of events. And so when I stand here this afternoon there's a little bit of Henry

Joseph Cassidy with me, and maybe he's got a chip on his shoulder, maybe he's a little unrealistic as to what this bill is going to do, but I remember the stories told to me about that pandemic. And when I started doing the research, I couldn't believe his story matches the history and the history is worse than I could ever imagine. And we have purged that from our collective consciousness as a nation.

I hope we never have to come to terms with it again, but when it comes to public policy issues regarding public health, I think there is some merit to prevention and allowing people to try to get well when they're home.

Part two, the bill we have before us. It is an imperfect bill. What we're about here in the legislature is trying to craft legislation that has brought enough support to bring people together to at least create a majority to gain passage. Sometimes that can be done on purely partisan grounds with leadership telling people this is a great bill, you really should support it, I'm actually expecting you to that. And unfortunately, this year we've seen more of that than in past years, even when we had Governor Rell looking at majorities that were veto proof. That

could be because there's been a pent up desire on the part of our Democratic colleagues because they haven't had a Democratic governor in a long time. I don't know. I do know this, though. This bill has been controversial from the very beginning.

When I first supported it over four years ago the numbers weren't 50. The numbers were lower, 25. It was much broader. And over the years in working with the proponents and other folks, it's been crafted to be more narrowly tailored.

Can detractors look at that and say that it is hypocritical? Yes. Can folks look at that and say that it doesn't necessarily achieve the ends to which it is spoken of? Yes. It is faulted. It is flawed. It is imperfect as so much legislation in this building is. But I have been granted assurances by proponents that this bill will not be revisited next year. And I would be very hesitant to revisit it again until we get concrete reports as to what its effect is on our economy and on different business sectors.

And I am very sensitive to the concerns raised by individuals regarding its impact on various business components, namely, the restaurant industry.

Probably preeminent amongst all groups that I've spoken to, they feel that it will disproportionately, negatively impact them. And so I'm hoping that's not the case. But can I envision a world where an employer will have 47, 48 or 49 employees and be very hesitant to hire one more for fear of being placed under this burden if it's perceived that way? Yes, I can see that. But, again, I've come at this issue every step of the way from the public policy that I believe we need to be sensitive to public health and the issues.

We hear stories about people talking about health care issue regarding cancer or breast cancer or something else, and usually it comes with a story about some family member. So the story that I bring is a story of my grandfather Henry Joseph Cassidy. My mom's maiden name is Ann Marie Eileen Cassidy, and, yes, that side of the family hails from Philadelphia, and, yes, we lived through that.

Third part, because there's going to be an awful lot of folks talking about the merits about the underlying bill itself and amendments will highlight its strong points and weak points. But the third part I think is just as important and that's the

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environment that we're here in this building. I think perhaps because this bill may be a reality that the -- that the folks on both sides of this issue have heightened, heightened their laser-like focus on all of us in trying to pull us one way or another. It amazes me, quite frankly, and I have no concerns whatsoever about my constituents continuing to reach out with me regarding this. But folks -- for folks outside of my district who know that I've voted for this bill every single time for the last four years, to think that it's -- it's a brand new ball game, I'm a little bit surprised.

It shouldn't surprise anyone that I have been consistent on this bill. They do say consistency is the hobgoblin of little minds, though. But I've listened to both sides of the argument, and it has been extraordinarily heightened this year. I think, in part -- in part, because of our economy and a heightened sensitivity to concerns of businesses; in part, because this would be the first such bill in the nation for an entire state and there is extreme trepidation regarding that; in part, and I agree with this, that we have passed a variety of policies in the past that have made Connecticut not the best place to

do business; in part, because we have had -- and we had a discussion about this prior to the commencement of the legislature that we have had a -- we have had a regulatory structure in our state that makes our state unpredictable to do business in.

Yes, mandates on businesses and things like that can be detrimental, but when I speak to businesses, the biggest thing that they need is predictability. They can go to investors. They can go to the capital market. They can make rational business decisions if they know the timetable and there is some element of predictability. I would say our state is not business friendly because we lack predictability. You can't go to the DEP. You can't go to the DOT and wait years for decisions or submit paperwork and then have somebody say, you didn't dot the right "I," cross the right "T," do it all over again. And there's story upon story upon story upon story about that.

I understand this bill is controversial, but I do believe all those other things make our state not competitive. All those other things make our state business unfriendly. You know, \$1.5 billion in tax increases is not a welcome mat to new business to come to Connecticut. The corporate tax surcharge doubling

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from last year to this year on profits is not a welcome mat to new businesses. So I can point to a slew of things.

I would not go down to the realm of Governor Malloy, legislative leaders, but I am concerned about a lack of at least discussion. And I would state -- and I believe that Governor Malloy probably isn't listening. I have heard tales that he doesn't listen to the Legislature. I don't know if that's true or not true. I'm not going to say anything disparaging about our new governor because I haven't had a personal dialogue with him. But I have heard from others that they feel that their ideas mean nothing.

Just last night we had Senator Kelly say, I heard Governor Malloy say that if it's a good idea, it's not a Republican idea or a Democratic idea, it's either a good idea or not a good idea.

We can't even get to whether it's a good idea unless people call or write or open a door and say, come on in, let's chat. We find each other in a lunchroom sitting next to each other, let's talk. We in the Minority Party represent over a third of the people in the state of Connecticut. At about 3.3, 3.5 million people -- I'm not exactly sure what the new

census brings us -- that's certainly in excess of a million people. By the Majority Party not speaking to the Minority Party, it's turning a deaf ear to over a million voices. That's not right.

One of my Republican colleagues last night said we were elected to work in bipartisan/nonpartisan fashion. The public wants joint cooperation to come up with good solutions. We're here. The Republican Party is here. The Minority Party is here. We've got good ideas. Steal them. Use them. I don't care. Take credit for them, but we've got them. Let's talk. Let's work together for the benefit of the people of Connecticut.

Back to this bill. This bill has become the symbol of that lack of communication. This bill has become the symbol of our business unfriendly state. This bill has become the symbol of one and a half billion dollars in taxation. This bill has gotten to be the lightning rod for everybody's attention and focus.

And coming at it from that 1918 perspective, I'm -- I find that unfortunate. The height of the -- of the discussion, the tenor of the discussion wasn't like that four years ago. And it's like that now.

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And there are so many other issues that make us not competitive.

So for my friends and constituents that are listening to the debate that feel strongly on both sides of this issue, I hope and I pray that they understand that beneath all of this, there is a real heartfelt public policy discussion on the merits of a bill where people have worked for four years to try to make it as fair and balanced as possible. There have been representations that it will not be revisited for a year, and we will have ample time to look at its repercussions and ramifications and salutary effects if there are some in the years to come. But at this point in time, I am hoping, beyond hope, that the administration, legislative leaders on both sides of the aisle will all work together for the best ends of our constituents. And debates regarding implementers and other things do not spill into this debate. And debates about our entire business climate do not necessarily get infused into the symbol of this one bill.

This is just one little bill. I will grant you all that it is a convenient location for our concerns and that this afternoon it's an appropriate place to

get that all out. It is an imperfect bill, and I am so sympathetic and so understanding of my colleagues that hate it. I understand. I understand those arguments, and I think that those are completely rational and reasonable arguments.

I also understand that there are rational and reasonable arguments in favor of it and, on balance, in a very difficult decision that I've held consistently for four years, I keep erring on the side of public health and this public policy initiative. But do not make any mistake that I am not concerned about our business climate; that I do not like the direction the state has gone; and that I don't feel that we can do much, much better.

If we're going to be all about turning this state around, I know that we can do it together, and I hope and I pray that the Majority Party listens to the ideas of the Minority Party.

With that being said, I want to thank you for indulging me in my discussion of my family's history. I thought it was important to the circle and to my colleagues and to my constituents to understand why for four years I've been supporting this initiative. It's not an easy decision every time I revisit it.

But it's certainly one that I've given huge amounts of time and thought, and I'm hoping at the end of the day, it's the right decision for the people of the state of Connecticut.

And with that, Mr. President, I'm happy to support the bill at this time, and I look forward to seeing how it plays out for the people of the state of Connecticut, should it pass this Chamber in the House and be signed into law.

Thank you.

(Senator Duff of the 25th is in the Chair.)

THE CHAIR:

Thank you, Senator.

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President. Nice to see you up there this afternoon.

I've listened intently to debate this afternoon and have done a lot of research over the three years now that I've been here at the State Capitol and a member of this legislative body. And I have in front of me just some of the research that's been put together for me to look at, and I've study carefully over the last several weeks.

I do, also, recall this debate coming forward in the past since I've been here. And I have not been able to find a way, up to this point, to support this idea. And I think if I just refer to one of my favorite cartoonist in the Hartford Courant, Englehardt had a -- a great cartoon that shows a truck saying "New Business" on the side and a big, "Welcome to Connecticut" sign, "The Only State with Mandated Sick Leave."

And the truck driver sees the sign and he yells, "Turn around."

In another day, the same artist shows a storefront, "Connecticut open for business" in the window, but on the door boarded up, "Moved to Massachusetts because of paid sick leave."

I think Cartoonist Englehardt accurately portrays what paid sick leave means to the state of Connecticut. I understand the argument that Senator Gomes so passionately shared with us earlier today, and I appreciate his concern.

But my fear is that this bill, as Senator Kissel just admitted, is flawed. I think it's flawed in a bad way because it doesn't seem to be fair to some businesses. Many are excluded. I understand that

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there is language that has been included in this final amendment to eliminate the Connecticut YMCA organizations. The YMCA in Western Connecticut lobbied long and hard in opposition to this bill. And I thank Senator Prague for taking the time to visit with the YMCA and understand their business and find a way to make that exclusion, but there are so many other organizations that are affected that are similar in dynamic as the YMCA.

And so I'd like to ask -- if I may, through you, Mr. President, ask a question of the proponent of the bill about some of the exclusions that are part of this amendment.

Through you, Mr. President.

THE CHAIR:

Senator Prague, please prepare yourself.

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Senator Prague, the exclusion, I believe in lines 25 to 30 -- if I'm not mistaken if I've got the right LCO that I looked at when I made these notes -- talks about the -- what we now refer to as the YMCA exemption. Is there any other nonprofit organization

that operates in the state of Connecticut, like the YMCA, that could fall into this exemption being made available to the Ys?

Through you, Mr. President.

THE CHAIR:

Senator Prague -- Senator Prague.

SENATOR PRAGUE:

Through you, Mr. President, to Senator McLachlan.

Senator McLachlan, the Ys are very distinctive and unusual. They offer recreation, childcare and education, and they're the only nonprofit that is excluded.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

And on a different note about a concern that I found in this, I've notice that there is, in lines 173 to 177, talk about what documentation is necessary to -- for an employee to present to their employer to qualify for sick days. And it's always been my understanding in the past that sick days are normally regulated by a doctor's note. And I'm reading this language that seems to provide the ability of the

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employee to provide documentation from a number of other people other than a doctor.

And I wonder, through you, Mr. President, if Senator Prague could share with us, what was the thinking behind expanding the normal process of administering paid sick time?

Through you, Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Mr. President, through you to Senator McLachlan.

Senator McLachlan, I'm not sure of your question.

I see the section you're referencing and it does say that the documentation can be signed by a healthcare provider who is treating the service worker or the service worker's child or spouse. Sometimes you go to the emergency room and there's a APRN there, or you go to a clinic, a walk-in clinic, and they have APRNs.

Is that what you're asking, through you, Mr. President, to Senator McLachlan, about the people who can sign the document if somebody is out three or more days?

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Yes, thank you, Senator Prague. It -- when I read the language of who can provide the documentation necessary to qualify for paid sick time, I'm seeing something that's different than what my personal experience has been in business of who can document that. It's always been bring a doctor's note. Now a doctor's note, of course, could be signed by the PA or the nurse of the office or whatever. And this -- this language seems to have a number of other people that can provide that doctor's note, so to speak. And I'm wondering, what was the thought process behind sort of expanding the normal realm of administration of this kind of program?

Through you, Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Mr. President, to Senator McLachlan.

You know, sometimes, Senator, you go to the doctor's office and they're very busy. So for them to take time to sign a note, they could just say to their

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nurse, Sign this please for Mrs. Prague. She needs this note. And the nurse signs it. Or if you go to the pediatrician, they can have their assistant or the nurse, again, to sign that the child was sick.

I -- I think it's just for the convenience of the doctor to be able to have somebody -- another healthcare provider sign that documentation.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator.

No, we're in agreement that employees of a doctor's office are probably authorized to sign this kind of documentation. There are a number of other people that could qualify the documentation based upon the language in the bill, and I'm just trying to clarify. Why would a -- for instance, a police officer, signing a sick note be appropriate? I -- I've just never seen anything like that before. And I'm wondering what was the thinking behind sort of expanding the normal way that sick time and human resources is administrated in the private sector why we allow lots of other people to sign documentation to

justify paid sick time?

Through you, Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Mr. President.

Senator McLachlan, if somebody needs to take sick days for domestic violence problems, then the police officer can sign that as documentation that there was domestic violence and some problems and that satisfies the qualification to be able to take the time off.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator Prague.

And as it comes to Section 5 of the bill, I wonder the -- the administration of the program, when you read the language in the bill, it appears that the bill certainly doesn't affect a business who currently has a paid sick time program for their employees and, yet, the language in the bill does seem to effect businesses that currently offer the program.

So my question to you is, is there any part of

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this proposed legislation that affects a business that currently offers paid sick time?

Through you, Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Mr. President.

Senator McLachlan, sometimes businesses offer paid sick time, and if an employee takes a sick day, sometimes as retaliation against that employee -- this issue has come to us more than once -- so if that's what you're referencing in this section, you're absolutely right. There can be a fine for retaliation against an employee that takes a paid sick day, whether the paid sick day is under this legislation or under a contract negotiation.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator Prague, for that answer.

So that -- that does raise another red flag for me. So here's my concern, if I could just sort of do a what-if scenario with you.

Is an employer with fewer than 50 employees, who currently offers a paid sick time to their employees, are they going to fall into that retaliation point of this bill?

Through you, Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Mr. President.

Senator McLachlan, it's my understanding that this bill and these issues only reference employers of 50 or more employees.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator Prague.

And so a -- an employer who had a voluntary paid sick leave program has an employee who has some disagreement with their employer would file a complaint now. This particular issue was never a public issue for government but now this issue becomes a public issue for state government to get involved in as a result of this new legislation proposed today?

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Through you, Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Mr. President.

Senator McLachlan, the Labor Department has always been available to employees who have a legitimate issue with an employer even before this bill. The labor Department is available to all employees in the state. Is that what you're asking me Senator McLachlan?

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

No. I think I'm -- thank you, Senator Prague. I think I'm trying to be very specific.

Here's my concern, that the language in the bill is expanding the potential claims against an employer who currently offers paid sick leave that is not being mandated to them. They do it because that's part of their business decision to offer that benefit to their employees and that at some point, with this voluntary program that they have available to their

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employees, that employees are now given a new avenue to file complaints against their employer that were not previously available to them until this bill passes?

So that's what I'm trying to determine, does this bill provide an employee new avenues of complaint against their employer or create any additional litigation that currently doesn't exist before this bill becomes law?

Through you, Mr. President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

I -- through you, Mr. President.

Senator McLachlan, this opens up the issue that allows employees to -- if they're retaliated against because they took a paid sick day and their employer fires them, this now says, you know, this you can go to the Labor Department with this. This is -- you just can't do that. We had people come who work for very a large company in this state telling us that they had paid sick time in their contract and yet if they take a paid sick day, they're afraid because some of their fellow employees have been fired because they

took that paid sick day. This allows them to go the Labor Department with this kind of a problem.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Thank you, Senator Prague, and thank you for your advocacy and your hard work on this for many years.

Although, we disagree on the concept, I -- I would just like to say that I'm -- I'm glad to see that you've made a lot of progress with this bill. And, obviously, there's been a lot of changes as it's gone down the road but I -- I just kind find a way to be supportive of this bill. And I think that Senator Prague's answers today of my most recent concerns of the concept before us are that we have an exemption being offered to just one particular nonprofit organization and, yet, we have a very grave concern of the nonprofits that operate throughout the State of Connecticut and there are hundreds. How many with over 50 employees? I'm not exactly sure but many nonprofits that run very efficiently, and, in many cases, are offering all the benefits they can possibly offer their employees and, yet, in this case, it's

only one nonprofit in the State of Connecticut that's being offered this exemption.

And then we have a concern that this is opening up a whole new realm of interference of state government, by way of the Labor Department, into a private agreement between an employer and employee. Who before this legislation came forward, an employer has offered their employee the benefit of paid sick time, and now state government by way of this new legislation that's before us today is going to reach into this private agreement, more interference of state government in business, and create a litigious relationship that currently doesn't exist.

And I think that's -- that's just not the right way to go. It's not appropriate for state government to make that kind of a move when we are already on record, frankly, in some areas considered the laughing stock of the business community because we're so unfriendly to business. And it's just every single day in this building, in this legislative session, for some reason, every single day is another bill that reaches into a business person's pockets and says, we need more of your money, we're going to tell you to do more things that cost you more money and, frankly, we

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don't care that this is the worst recession that most of us has ever seen, and that we don't know how we're going to get out of it but, yet, we want to put more burdens on you.

The timing couldn't be worse. It just couldn't be worse.

Why can't this legislature understand that every time government, local, state and federal government, steps in front of a business and steps in front of the business relationship between the business and their customer or the business and their employee. Every time government steps in the way, it slows down the economy. Now, that's proven.

I heard early on in the debate today about academia had studied the -- the effects of paid sick leave and how positive it would be, and I guess academia works on both sides of the issue, but I have before me a very impressive, very impressive report that I wish had the University of Connecticut's name on it, but it says, "Cleveland State University, Maxine Goodman Levin College of Urban Affairs." The title of the report, "The Likely Impact of Mandated Paid Sick and Family Care Leave on the Economy and Economic Development Prospects of the State of Ohio."

Now, I understand we're not in Ohio, but if you read this report, it's pretty clear what we're doing here is a job killer. We're killing jobs. We're not helping people. We're killing jobs.

Senator Kane referenced polling in a report, I believe from the City of San Francisco, California, which is one of the only two places in America that offer this benefit now. That somewhere around 30 percent of the lower percentile of wage earners faced layoff or hourly cutbacks as a result of implementation of paid sick leave.

Now, we can go on for hours. I think there's agreement among the leadership of this State Senate that you know we're trying to limit debate today, you know, we've got to much work to do. Well, there's a lot of proof here. This is just one senator with the help of some other people putting some information together to say, slow down Connecticut legislature, why don't you listen to what people are telling you? Stop killing jobs in Connecticut. And, frankly, Governor Malloy, if he says one more time that Connecticut's open for business, I'm going to cringe because he's advocating for job killing businesses.

Please, Governor, read the report, read the

editorials, read the testimony.

Senator Kane showed all the testimony of people that showed up opposed to paid sick leave, read my e-mail. I read all of my e-mail. I may not be able to respond to every single one of them, many of them don't come from my district, but I read them. And the e-mail that's coming in on this issue, this year and pretty much the last time it came up in the legislature, is 4 to 1 opposed to paid sick leave. That's because the small business community of Connecticut got the message.

Now, I have a friend in my hometown of Danbury, who's a small business owner with 47 employees. Now, I'm not going to give you her name and the business name because she didn't give me permission to do that, but I've spent some time with her talking about paid sick leave. And every time that we had a conversation about it, and there's been several, she shakes her head and says what are they thinking about? Does anyone in the legislature understand what it takes to run a business?

Now, this individual with 47 employees wears multiple hats: she's the president of the company, she's the HR Officer, she's the scheduler. It's a

small company. They run lean and mean but you know what she said to me? I will not, I will not hire my 50th employee, I will not. Now, what does that mean? Well, I guess what it means is that other smaller companies end up doing the same business. I'm not sure but the point is it is a disincentive to someone who's at 47 employees in the State of Connecticut to keep growing because their worried about the cost of doing business growing exponentially when they hit the 50 mark.

Now, I got to tell you what's ironic is what Senator Bye said that this is an individual who offers paid sick time but guess what? She doesn't want to be told how to do it, when to do it and, by the way, now state government is going to reach in and interfere with a relationship between her and her employee of how this paid sick time is offered as a voluntary benefit. This is a voluntary benefit to recruit employees and state government's going to step in and tell them how it has to be administered.

Now, listen, the idea of the underlying bill is well intentioned. Senator Gomes and I sit next to one another and we agree to disagree on a lot of points, but we don't disagree on the importance of the

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employees that he said will be touched by this bill, needing benefits, needing a lot of things. I think it was said, those with the least need the most. I don't -- I don't disagree with that point but when is this legislature going to draw the line and understand that we're boarding up businesses, one by one by one.

This is job killing legislation. Read the Cleveland State University report, read the testimony offered in public hearing, voluminous testimony in opposition. If you want my e-mails, I'll print them. Talk to the small business owners in your community, vote no.

Thank you, Madam President.

(The President is in the Chair.)

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further?

Senator Prague.

SENATOR PRAGUE

Madam President, thank you.

Madam President, the amendment that's before us is a strike-all amendment and once it is voted on it becomes the bill. I'd like to move the amendment, and

I'd like to call for a roll call vote.

Thank you.

THE CHAIR:

Yes. A roll call vote will be had after this discussion.

SENATOR PRAGUE:

Thank you.

THE CHAIR:

Thank you, very much.

Will you remark further?

Senator Kelly.

You're both very quick on that.

SENATOR KELLY:

Thank you, Madam President.

I have a couple of questions for the proponent of the bill.

Through you.

THE CHAIR:

Please prepare yourself, Senator Prague.

Please proceed, sir.

SENATOR KELLY:

In the first section under the service worker definition, there are several jobs here and I've heard that there's -- this is not going to apply to the

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manufacturing industry but, for instance, ZZ,  
Secretaries and Administrative Assistance, if they  
work in a manufacturing company, would they be covered  
by this bill?

Through you, Madam President.

THE CHAIR:

Senator -- Senator Prague.

SENATOR PRAGUE:

Through you, Madam President, to Senator Kelly.

Yes, if they work in the manufacturing business,  
no. But if they work in other settings, other than  
manufacturing, they would be covered. Any employee,  
through you, Madam President, Senator Kelly, we  
exempted manufacturing so all employees in  
manufacturing are exempt.

THE CHAIR:

Senator Kelly.

SENATOR KELLY:

Just so that I'm clear, if I'm an employee of a  
manufacturing company and I also happen to be a  
secretary or administrative assistant of that  
manufacturing company, this statute or this bill would  
not be applicable to me

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

Senator Kelly, most of these manufacturing companies have negotiated contracts with their employees, all employees. Consequently, this exemption applies to all the employees and they are exempt from this legislation.

THE CHAIR:

Senator Kelly.

SENATOR KELLY:

And -- and that would also applies, just want to make clear for the legislative record --

SENATOR PRAGUE:

I'll write it down.

SENATOR KELLY:

Thank you.

That would also be applicable to computer operators, data entry and information processing workers, mail clerks and office clerks that are employed by manufacturing companies.

SENATOR PRAGUE:

Through you, Madam President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Senator Kelly, you're right. All employees working for manufacturers are exempt. The issue being manufacturers usually have negotiated contracts for all their employees.

THE CHAIR:

Senator Kelly.

SENATOR KELLY:

Thank you.

I have another question. It's a hypothetical, but I think it's applicable. Let's say I'm an employer -- or let's say you're the employer, Senator Prague, and you have a choice. You have enough money to provide your employees with paid sick leave; you also have a need and an opportunity to hire someone but you can't do both. You can either hire somebody or give your employees paid sick leave, which would you do today?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

Senator Kelly, I'm not a stranger to business

operations. I come from a business family. If I had -- if I were the employer and I was considering offering my employees paid sick time, I -- I am putting myself in the position of the employer, if I have 50 or more employees, I'm affected by this bill. I, ordinarily, I hope, would have been giving my employees paid sick time but if I hadn't been, if I had given them vacation time or personal time that would substitute for the paid sick days.

If an employer doesn't give their employees anything, no vacation time, no personal days, I mean that's a pretty austere operation but if I had to make that decision, I would give my employees that I have the paid sick time because I would want my employees to know that I care about them; that I respect them as human beings; that they are a vital part of my business. Without them, I couldn't have a successful business and if I don't treat my employees like they really mattered to me, why should they work very hard for me.

I'm a believer in treating employees the way I would want to be treated in a job. So my first choice would be, if I wasn't already doing it, to give my employees the paid sick time that I think they

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absolutely must have.

THE CHAIR:

Senator Kelly.

SENATOR KELLY:

Thank you very much, Senator Prague.

SENATOR PRAGUE:

You're welcome.

SENATOR KELLY:

I'd just like to comment on the amendment, and I think anybody here in the Chamber, as Senator Prague was giving her answer, heard some noise in the background and that noise is very familiar to me as a resident of Stratford. That was a Sikorsky S-76 that was on the side of the Capitol today because you can hear the rotors. And to anybody that works and Sikorsky or lives in Stratford, it's well known that that sound is the sound of freedom.

And we heard yesterday all about America, the land of opportunity, the land of freedom, which we just heard but what does that opportunity mean? Does it just mean come to America, or does it mean an opportunity to carve for yourself a better life, and I believe that's what it is. It's that opportunity.

Now, it wasn't that long ago that I first ran for state senator here in the State of Connecticut. As a matter of fact, it was just last fall, and I can vividly remember sitting down, not only with people who I knocked on their door in downtown Shelton or in Paradise Green in Stratford or up on the Great Hill section of Seymour. And as I talked with people, they kept on asking me -- the first question, what's the most important task that needs to be done in Hartford? Every time, I stated jobs, jobs is what's important. When asked by editorial boards, the same answer, jobs, give us the top three, jobs, jobs, jobs.

And, quite frankly, when families sit around the kitchen table and they start to look at their own family budgets and they look at their wants and needs, that's directly related to whether or not you have a job because if you have a job and you're fortunate and blessed to have one, then you can provide, you can cut your own way, you can live the American dream. But if you don't have a job, boy, is the going tough. America is not a friendly place. Capitalism is not a friendly place, but, as the part of the American dream, what we should be doing is providing the opportunity for people to work.

I remember Ronald Reagan saying that a rising tide floats all boats, but I believe that this piece of legislation pulls the cork on the ocean and instead of rising all boats, puts impediments to creating jobs and, therefore, the boats don't rise.

One of the biggest impediments to creating a job is making it more costly to do business because if a business has a healthy bottom line, it can share that with people by employing them. How do get a healthy bottom line? By lowering overhead.

It's proven in the State of Connecticut that we're one of the most costliest states in the union to do business for a whole host of reasons and now we're going to add another one to it. We're going to burden business and kill more jobs because what the legislature cares more about is giving those individuals with jobs more benefits and not a person without a job a job.

Presently, in the State of Connecticut, we have 9.1 percent unemployment and our economy continues to lose more jobs. We have a fragile economy. Connecticut businesses are having a tough time and are we helping them or are we going to add more burden to them? We're going to add more burden with this bill.

Creating jobs is my number one priority. It's what people elected us to do, and I heard throughout the campaign -- it wasn't just my campaign talking about jobs -- I heard it all over the place, wherever you were, jobs is what's important. But, today, we're not going to be looking at that. We're going to be looking at a piece of legislation that's going to hurt jobs and communicate to the rest of the United States that if you want to do business, Connecticut's not the place.

We do that on a daily basis lately and if you look back at our statistics for the past 20 years, we haven't added a new net job in Connecticut, 20 years. And there's only one other state that gives us a run for our money, that's Michigan and they've got an excuse. They have the auto industry. What do we have? What is it we have that's killing jobs?

There is a cause and effect to our actions. We adopted a budget it included an Internet tax and this week we see that Overstock.com, as well as many other Internet retailers are pulling out of Connecticut, cause and effect. Be mindful that when you add a burden on business, jobs are affected. And I believe what we need to focus on are those people without jobs

and that we should be focusing on helping those individuals get back to work so that their boat can be floated just like everyone that has a job and not be looking first, not at our unemployed, but looking at providing more benefits to those that are fortunate and blessed enough to already have a job.

For those reasons, I would oppose this amendment.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Senator Suzio.

SENATOR SUZIO:

Thank you, Madam President.

THE CHAIR:

Thank you, sir.

SENATOR SUZIO:

I have some comments to make on the bill but before I do I'd like to ask some questions, through you to the proponent of the bill, if I may?

THE CHAIR:

Please proceed, sir.

Senator Prague?

SENATOR SUZIO:

Thank you, Madam President.

workers, people who have direct contact with other people.

SENATOR SUZIO:

Thank you.

And through you, Madam President, so --

THE CHAIR:

Please proceed, sir.

SENATOR SUZIO:

Is it correct to say that the -- there's two purposes served by this bill: One is to confer benefits, in terms of sick pay benefits to the workers who are covered by the bill; and the second objective of the legislation is to provide some form of protection to the public from contact with workers who may be sick.

Through you, Madam President.

Would that be correct?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

Senator Suzio, yes, that is correct.

THE CHAIR:

Senator Suzio.

In reading the bill, Senator Prague, it struck me that and I started thinking why were, quote, service workers singled out for this particular benefit? When, in effect, there's other types of workers, such as agricultural workers, who are notoriously low paid with little or no benefits, who handle our food and do the things that service workers do and in some cases. Why -- my understanding is agricultural workers are not included in the benefits that would be conferred by this bill. Is that true and, if so, why were they excluded?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President to Senator Suzio.

Senator, this bill includes service workers that have contact with other people. The agricultural workers are not listed here. We actually took the list of service workers as defined by the National -- I'll give you the reference, it's a National Labor Board -- don't go away -- it's the National Labor Board Statistics -- whatever. It's documented in here but it comes from the National Labor Board and it's their description and documentation of service

SENATOR SUZIO:

Thank you.

And if I may pursue this a little bit further. So, again, if I go back to the example of the agriculture workers who are handling food that we're going to consume eventually, they are not incorporated in this bill as I understand it so even though they may not have direct contact with the public, of course, they do have direct contact with their fellow workers and they will be handling food that we will ingest. And I hate to say it, though, even though usually when you buy your fruit and produce in the market it says wash before thoroughly before eating, a lot of people tend to pick it up and put it in their mouths. And we know that there's been evidence of disease being spread by workers in the field who have contagious disease and -- and handle fruit. So why were agricultural workers exempted from the benefits of this bill?

Through you, Madam President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

Senator Suzio, on lines 41 and 42 in your bill, it says that the detailed occupation code numbers and titles as defined by the Federal Bureau of Labor Statistics Standard Occupational Classifications System, these are all of those workers who are in the standard occupational classification system.

Agricultural workers are not. They are like -- even though they work, some of them, and produce food, some of them produce plants, whatever, they are like a third person removed from the direct consumer.

SENATOR SUZIO:

Thank you.

And through you, Madam President.

Okay. So it's clear the agriculture workers are not covered by this -- this proposed law.

There will be some situations the way I see it that could evolved where a company will have enough workers to trigger the -- the requirement that service workers be covered by this agreement. However, that same company may employ many workers who are not, quote, service workers, and they will not be covered by the agreement. So, in effect, we could have two classes of workers in a given company. Is that an accurate possibility?

Through you, Madam President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

Senator Suzio, give me an example.

SENATOR SUZIO:

Well, we have --

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

I'm sorry. Thank you.

THE CHAIR:

No problem.

SENATOR SUZIO:

We have a company, let's say that employs 70 workers and let's say 50 of them are not covered -- they're not service workers but 20 of them are service workers. So if I understand the proposed bill, they would exceed the -- the threshold of 50 because the count of the 50 workers isn't limited to just service workers. It's a count of all workers in the employee of the company, but the only workers that would be covered by this law would be the workers who are

classified as service employees, which would be the 20 employees. Would that -- that would be a good example, would you comment about that, Madam?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Madam President to Senator Suzio.

Senator Suzio, if an employer has 50 or more employees, his employees that fall in any of these categories are covered.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

And that's -- that's my understanding of it. So what we were to do is have a situation where there would be two classes of employees in the company. Those who are covered by the benefits, the service workers, those who fall under any of these classifications and the other employees of the company who do not fall into these classifications. So, in effect, we could be creating in effect a division of employees within any given company because many companies will employ employees who fall under

one category and also on the other category.

Through you, Madam President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

Senator Suzio, can you give me an example of the kind of company you're talking about where one company would have 70 employees, 50 --

SENATOR SUZIO:

Sure.

SENATOR PRAGUE:

-- 50 not doing -- not service workers but 20 as service workers. What kind of a company is that?

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Through you, Madam President.

Let's take a construction company that has lots of people that work out in the field that are not going to be covered by this, they're going to be laborers, they're going to be carpenters, electricians or whatever. They're going to be people who do heavy labor out in the field and then they have a staff of

administrative people, secretaries, administrative people, et cetera, who are, quote, service workers that would be one example that would come to my mind.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President to Senator Suzio.

Thank you for that description of a company. The construction workers are unionized, hopefully, and if they're unionized, they have a negotiated contract. The people who work behind the scenes, like the secretaries and the bookkeepers and whoever does -- takes care of the auditing -- if the employer has 50 or more employees, they're covered under this bill. Those workers who are covered by union contracts are not covered. This does not supersede any union contract.

SENATOR SUZIO:

Thank you.

And through you, Madam President.

I understand that I just wanted to make the point though that there can be many situations. Back in the eighties when I was a banker and I focused on small businesses, I had many small business clients

who were in the tool and die industry, machine tools, et cetera, and many of those companies were too small to be unionized. You know, they weren't hundreds and hundreds of workers but they were dozens of workers. In many cases, more than 50, and they would not be considered to be a service employee, as I understand it in these definitions, but because if they -- if they employed a total of 50 or more people they -- their administrative staff, their secretaries and people -- -- data processing people would be and so you'd have the people out in the shop, who would be working on equipment would not be covered but the people in the administrative offices would be, if I understand the -- the way the proposed legislation would work. And I'm just asking you to confirm that interpretation or understanding, if I may.

Through you, Madam President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Madam President, thank you.

Through you to Senator Suzio.

The people who are listed, Senator Suzio, in all these classes, these service workers, computer

operators, data entry, information processing workers, desktop publishers, all of these people who are listed in this service workers category are covered. So your banks, if they had any of these service workers, those service workers would be covered.

SENATOR SUZIO:

I understand.

Thank you, through you, Madam President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Let me move a little further on if I may. Many companies employ workers who work there on a part-time basis, and that's particularly true in the restaurant industry. You'll get seasonal workers who work there for the summer and then they're going off to college or what have you. Now if -- again, if I understand this bill properly, the determination of the threshold of 50 employees would be the census from any quarter in the previous year. And if in any quarter in the previous year, the number of employees that were compensated by the company, if that exceeded 50, it would trigger that company being covered by this act.

So a company that employs people who are working there but not necessarily full-time working there that would trigger the -- the coverage requirement. Although those part-time people or those people who work temporally are not themselves covered by the benefit, it would trigger the benefit coverage if I understand it correctly. Would you please comment on that?

Through you, Madam President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Madam President, through you to Senator Suzio.

Senator, if a part-time worker works ten hours a week or more, they're covered and they're an employee.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Right and that's what -- my point is that if we read Section 4, it says "employer means any person, firm, business, educational institution," et cetera, that employees 50 or more individuals in the state in any one quarter in the previous year. So we're just talking now not about who's eligible for the benefit,

we're -- I'm talking about the mechanism, the formula that triggers the coverage.

So, in other words, there could be a lot of employees who are not covered by this, but whose employment by the company would trigger the coverage for those who do qualify. And in the -- in the restaurant industry this happens quite frequently and that's what I'm trying to bring out by these comments and questions.

Would you care to comment about that at all?

Through you, Madam President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

Senator Suzio --

SENATOR SUZIO:

Yes.

SENATOR PRAGUE:

The restaurants are -- actually dealt with in this legislation. It clearly says, you know, that they must offer paid sick time if they have 50 or more employees but they're waiters and waitresses or anybody in the restaurant can switch shifts with other

folks and that kind of arrangement is arranged by the employer and the employee. Does that answer your question?

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Yes. I think -- I think my understanding is correct, which is basically that if some business entity employs more than 50 people in any calendar quarter that would trigger their coverage requirement. Employment would mean if I hired -- if 30 of those people worked for me for one day in that quarter. That would still -- even though they themselves wouldn't acquired the time and may not be eligible for the benefits, they would trigger the coverage that would make me or the employer responsible for providing the benefit to other employees who do qualify. That's my understanding of it and I think that's accurate and I think you're confirming it but I don't know if it's clear to you.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Madam President, through you to Senator Suzio.

Senator Suzio.

SENATOR SUZIO:

Yes.

SENATOR PRAGUE:

In the bill it says day or temporary workers are not covered. Somebody comes in and works a day or somebody is placed there by a temp agency for three or four days, those workers are not counted nor are they covered.

SENATOR SUZIO:

And through you, Madam President.

I understand that, I'm not talking about those workers. I'm talking about what typically happens in a restaurant when they'll hire a college kid to come in and work for a brief period of time. They're not day workers and they're not workers hired through an employment agency, they're truly employees of the company, at least, as I understand it in this bill. And their employment, no matter how brief, at a particular company, it might just be for the summer, but it would trigger what I would call coverage under the -- under the regulation. It would make a company covered under the regulation and impose on it the responsibility to provide benefits even though many of

the employees that would trigger the coverage themselves wouldn't be beneficiaries. That's the point I'm making. I don't want to belabor it anymore, but I think it's very, very clear at least to me. If you dispute that or disagree with me, I'd be welcomed be -- I'd welcome your difference of opinion, Senator, but I think that's an accurate description of the bill and the way it would work.

THE CHAIR:

Is that a question to the Senator, Senator Suzio?

SENATOR SUZIO:

Yes. Can she confirm that --

THE CHAIR:

Senator Prague.

SENATOR SUZIO:

-- or maybe she'll do it in her own way.

SENATOR PRAGUE:

Madam President.

Any employee who works ten hours or more is considered an employee and eligible to accumulate after having worked 680 hours to have paid sick time.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

I -- I fear the good Senator isn't understanding my point. My point isn't like who's eligible for the benefits. It's the condition which triggers the company to be responsible to provide the benefit, which is triggered by the number of employees it employs in any given quarter in the previous calendar year. They -- none of those employees might have even obtained even the 680 hours or the magic number. All they have to do is work a few days at the company and they become an employee of the company and they count towards the magic 50 number. That's -- that's my point.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Madam President, Senator -- through to Senator Suzio.

If they work ten hours or more a week --

SENATOR SUZIO:

Okay.

SENATOR PRAGUE:

Okay.

SENATOR SUZIO:

Gotcha --

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THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Through you, Madam President.

I got it

THE CHAIR:

It's okay.

SENATOR SUZIO:

Okay.

THE CHAIR:

Go ahead, Senator.

SENATOR SUZIO:

Let me just go on another question. Would an employer who currently provides a benefit in the form of one week paid vacation, which can be used by the employee either for vacation time or sick time, would that benefit basically satisfy the requirement of this regulation if that employer became covered by the regulation?

Through you, Madam President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Madam President

Through you to Senator Suzio, yes.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Well, that was a lot simpler than the last one wasn't it, Madam President?

THE CHAIR:

Yes, it was, sir.

SENATOR SUZIO:

Thank you.

Now taking the same situation, if an employer basically presently offers one week of paid vacation and the policy doesn't say anything at all about paid sick leave. This law passes and the employer says, hmm, I've got to provide a week of vacation time -- not vacation time -- up to week of paid sick time. I can satisfy this regulation, I believe, by just changing my vacation policy to say, you're entitled to one week paid vacation or sick time, choose which way you want to use it.

Through you, Madam President, would that satisfy the requirements of this bill as proposed?

THE CHAIR:

Senator Prague.

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SENATOR PRAGUE:

Through you, Madam President to Senator Suzio.

Yes.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

Through you, Madam President.

I want to thank Senator Prague for her patience and with my persistence, I don't have any more questions for her.

I will paraphrase Senator Franz, those are my questions. I would like to make a few statements if I may right now.

Thank you again, Senator Prague.

In reflecting on this proposed legislation, I went back and I checked out the business statistics for the State of Connecticut. And I went to the US Census Bureau to see how many businesses there are in the State of Connecticut, how many might be covered by this, how big those businesses are. And it turns out there's about 92,000 businesses that were registered in the State of Connecticut, according to the US Census Bureau for the last year in which details were

kept, which was the year 2008. And of those 92,000 or so companies, 5,261 of them employed 50 or more people. So those are the companies that maximum, theoretically, could be covered by the proposed legislation because the legislation is directed at companies who employ more than 50 people and these are business entities I'm talking about, not nonprofits or anything like that.

And furthermore, it turns out that 2,800 -- 2,800 of those companies employ between 50 and 99 employees. And 1,882 employ 100 to 249 employees. So a grand total of 4,682 of these 5261 about 90 percent of them are classified as small business by the United States Small Business Administration. They are mostly small businesses so the companies that are going to bear the brunt of the cost of this are going to be truly small companies and they're going to be companies that are family-owned companies.

And I have a background -- I grew up in a small business family. I know what it's like to run a family-owned business and grow up in a family-owned business. My great grandfather started a company back in -- in Connecticut in 1905, my grandfather on my father's side and my grandfather on my mother's side

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started their own small businesses. I know Senator Prague, you've mentioned from time to time, you're husband, I think, had run a small business. And so I grew up in a small business family, and I liked it a lot and I can always remember one day -- I lived in a small -- we lived in a small house, a very modest house, and my bedroom was next to the living room. And I remember my mother and father having a conversation one night and I was maybe ten or twelve years old and I could hear the conversation on the other side of the wall. And my mother said to my father something like this, Well, honey if we're making money, why don't we ever have any.

And anyone who's been in small business, and I think you laughed Senator Prague, you can kind of understand that. Even when you are profitable in business, you may not have much money. Especially, it's sometimes actually it's counterintuitive but if your business is growing, it absorbs money and sucks it right up. And so a lot people who've never had the experience of owning their own business don't know what it's like, and I can tell you, it's very, very different from what you might imagine to be like.

Even in my own small business right now, the one

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I run, which I started back in 1994, the first year I was in business, my gross sales were \$7,000. I'm not talking about profit. I'm talking about gross volume before any expenses. Talk about struggling and trying to make ends meet and I had five children. Thank God my wife was able to work and bring in some income to supplement -- supplement what the heck -- what I had didn't pay -- pay one month's worth of bills basically.

So a lot of people in the world that don't have the experience of running their own business don't know how difficult it is, how challenging it is, the risk that you take, the struggles you go through. In -- in banking, there's a term called sweat equity. Sweat equity is when you don't have enough money to put in your business but you work so hard, you work the equivalent of five people, basically, you work your head off.

And I'm certain, Senator Prague, your husband probably did the same thing. Right? You work hard because you don't have the capital, you don't have the money to pay the bills all the time and to hire the number of employees you'd like to have.

And -- and so these people, these small

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businesses are going to be the ones that are going to be forced to comply with this and -- and furthermore, I want to point out something else. I've heard Senator Prague and I heard Senator LeBeau speak in terms of the cost and pretty nonchalantly, oh, it's-- just a small amount of money. And they always talk about the cost -- at least the way I've heard them speak about it, in terms of the gross revenues of the company, oh, it's only a quarter percent or half percent of their gross revenues.

Well, let me tell you something folks, the most important number is the bottom line. It's the profits of the company. If you're not making profit, it doesn't matter if you do a \$100 billion a year, you're not going to be able to pay the bills, whatever they are and the problem is that most businesses have a very small profit margin.

Senator Kane across the -- the circle here, he has his own small business. I know when I was in banking in the 1980s, one thing I loved because I heard that conversation from my parents years before, I said I'm going to be a banker, I got to understand the money side of things. So I can answer my wife someday, unlike my father who just kind of stammered

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and couldn't explain to her. So I got into the banking business and because I grew up in a small business, I said I wanted to be a banker who was going to help the small business community out, and I loved it. I worked for a bank here in Connecticut, worked in New York and Philadelphia, came back to Connecticut and I was voted the number one banker for small business in Connecticut in the early eighties, and I loved doing what I was doing. I loved working with entrepreneurs, but I can tell you most of them we're struggling to make just a decent living. It wasn't like they were driving around in those Rolls Royce's with the fancy cars and, you know, the mansions and that kind of a thing. Most small business people make hopefully a decent living. They don't make an extravagant living, and the profit margins are very, very small.

When I say "small," I can tell you right now, most small businesses in Connecticut make less than 2 percent on the dollar. So when you start talking about an expense that's only a half of percent, guess what that's 25 percent of the profit at the bottom line that's a quarter of what they make. It's -- maybe it's a half of a percent of the hundred percent

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revenues up here but that doesn't matter it's what down here, what's left over after you pay all the expenses. And what this bill is going to do, even by the admission of the proponents is, is it's actually going to eat a big chunk of that bottom line. And it's going to eat it on the businesses that can least afford it.

Restaurants, I can tell you, a lot of banks won't even lend to a restaurant because they're so notoriously, you know, basically transitory. So many of them don't make it, so many of them don't make enough money to get by for more than a couple years and then they fail. And this is really going to impact that particular industry as well.

So I can tell you -- and by the way, there's another category I want to mention, nonprofits. Companies who don't make profit. Now, there's an exemption in here that has been discussed before for the YMCA but no other nonprofits are exempted that I can determine and they don't have a profit margin, ladies and gentlemen, to at least inch out another, you know, pennies and nickels and dimes here.

I've got in my hands right now a letter, a letter from the Franciscans, you know, like in Saint Francis

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of Assisi. You know the greedy saint. The Franciscans don't put profit before people, and they are opposed to this bill. They're opposed to it.

Let me say, they quote -- they basically say they're opposed to it. They diligently work to maintain a delicate balance between the increasing cost of doing business in the State of Connecticut and keeping rates affordable for seniors citizens who pay out-of-pocket for their services.

They also mention in this letter that they -- they provide services to the State of Connecticut under the Connecticut Home Care Program for Elders and that this bill will force the company for which they -- under which they work, and those like theirs, to reevaluate their ability to continue to contract with the State of Connecticut for this very valuable service.

So even a wonderful group, like the Franciscan nuns, say this is not a good bill. It will do damage far beyond any benefits it brings to those who will benefit from it.

I think some of the previous speakers mentioned the current economic climate. Ladies and gentlemen, this bill is not being voted on in a vacuum. In the

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real world today, we are hurting. We're hurting big time in our economy and our business. I went downstairs a little while ago, you know the CBIA has some displays down there, the business community. I talked to some of the business people there. One of them was a great company, I won't mention their name, I'm not going to embarrass them but they basically said to me, Len, Senator Suzio, we're concerned about the direction Connecticut's going and the -- we feel it's almost a hostile environment here that there's more being done that's adverse to business and not encouraging businesses to grow than vice versa.

And this is a company that's been in Connecticut for 30 years. I know them very well. They employ 82 people and they're all high paying jobs and they say they're very concerned about the climate created by government policy in Connecticut. It's not open for business. They're concerned about the stability of our regulations, the cost of our regulations, the way our regulations are enforced.

I can tell you I don't represent the business community, I am a part of the business community. I'm a small businessman. I work with small banks and community banks all over the country and here in

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Connecticut, and I can tell you, overwhelmingly, the business community doesn't think the State of Connecticut really gives a darn about it.

For the most part, the business community in Connecticut looks and says, Connecticut thinks of us as the big golden goose laying the golden egg and we're being strangled. And you can see it in the numbers over the years. You can see it in the employment statistics that are going on, no job growth for 20 years in Connecticut.

It's time to stop this craziness. It's time to get real and realize that without a strong vigorous business environment in Connecticut, we're not going to come out of the recession for a long time and nobody is served by that. Everybody is hurt by that not just the group of people who this bill is aimed at benefiting but everybody in the State of Connecticut is being hurt by the business climate.

The Governor says that Connecticut's open for business. In my opinion, Connecticut's open to bust business with climates like this -- I mean with bills like this. It's the wrong idea at the wrong time. It's time for us to show the business owners in Connecticut that we want them here, we are open for

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business, not to pick their pockets but to help them grow stronger and become robust employers so that we can have a growing environment for the people that live here in Connecticut.

Everyone of us knows people are unemployed right now. You know, all these benefits that are in here aren't going to help anyone who's unemployed. I'd rather have unemployment in Connecticut cut in half in the next year, even if the employers didn't provide the benefits that are in this bill. Is there anyone in this room, in this circle, who would disagree? Would you say Connecticut would be better off if we could cut the unemployment rate by 50 percent in the next year with or without this? I think all you know the answer to that.

So let's send a message, a real message to the business community. We really are open for business. We're not open to bust business. Don't vote for this bill. It sends out terrible message to the business community. A community that's already wondering and thinking what is the legislature doing to us. I tell you that, I live in the community, I live in the business community, I hear it all the time. I'm not talking as a representative. I'm talking as one of

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them.

Thank you.

THE CHAIR:

Thank you,

Will you remark further?

Senator Markley.

SENATOR MARKLEY:

Thank you, Madam President.

I rise to a bill to my mind strikes at the heart of what brought me here to Hartford. What has frustrated me over the years is the march of regulation in this state of rules, of laws, of entitlements, of things which how tell us how to live our lives and how to conduct our business. And I believe we've gone too far in this direction already, much to far, and now we have something before us, which would take us another step deeper and a step that it is of great significance to the people who are in impacted by it.

The businesses throughout the state are strongly against this, not just the big business, lobby groups, not just CBIA -- I could ignore it if it were just CBIA -- the businessmen themselves are against it. The small businesses that get in touch with me, the

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people in my district, the e-mails I've received and I know you've all received over and over again from people saying not simply don't do this but what could you possibly be thinking by doing this.

These people are the people that are struggling with the problems of keeping a business alive. Why are we telling them what to do? How would we know better how they should conduct their own affairs than they do themselves? Here's the question I think we have to ask ourselves, who do we think we are? I don't think this is a bad group. I think that most residents of the state, if they were to get to know the 36 of us, would say, gee, that senator's not so bad, reasonably intelligent, well-intended, honest, decent, friendly, so far as it goes. That's fine, but I wouldn't trust the people in this circle to tell me how to conduct my own affairs, how to live my own life, what tie I should wear. And I'm not even good at picking out ties, but I want to do it myself. That's my right and privilege.

Why do we think we have the right or the insight or the intelligence to look at somebody's business and tell them how to conduct it? And why should anyone listen to us? What have we done that's so great that

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we've proven that we're entitled to that kind of power?

Here we are with the -- with the right to reach into people pockets by taxation and take the money right from them and we still can't balance the budget. We still can't live within our means. We're going to tell people who have to earn their money by the sweat of their brow and by their ingenuity who have to struggle everyday in the free market. We're going to tell them how to run their business when we can't manage our affairs ourselves.

And I don't think this is the fault of the legislatures. I don't think our problems and our struggles up here are a result of a lack of -- of effort or insight. I think it's a fault of philosophy. It's a philosophy that has taken hold in this state for many years. That says if only we can get more control, if only we can tell people more what they should do, if only we can handle their affairs for them, spend their money for them, make their decisions for them, we can move this state in the right direction. Well, folks it's wrong. It hasn't worked.

On Appropriations, I heard one of the good

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members on the Appropriations Committee say I've heard for years how things are going to hurt business and yet we're still here. And I want to say, yes, we're still here, the 36 of us are still here, we're going to be here no matter what but the 100,000 jobs that we've lost since the recession, those are all gone.

And the businesses that I saw growing up, it's funny to reach an age where you start to say "back when I was a kid." Well, back when I was a kid and the brass mills were still lining East Main Street in Waterbury and Pratt & Whitney was the biggest employer in Southington. And I used to go down with my father to visit Jenkins Valve in Bridgeport and the State was full of business, big manufacturing business and little machine shops and screw machine shops and eyelet shops, all the little ancillary businesses that fed off that industry, all gone, all gone. And I think more than anything else, we've driven it out. First, we've drove it to New Hampshire and South Carolina and over the years this country has driven it out to Malaysia and Singapore and the other side of the world.

We've had a long stretch of 20 years of the lowest job growth of any state in the country, since

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we passed the income tax. And it's been the result, to my mind, of good decent, well-intentioned people, like Senator Prague for whom I have deep respect, who see an opportunity to help but don't see the downside of what it is we're doing. And this paid sick leave bill is the latest and, to my mind, the most egregious example.

We have two directions that we can follow basically in government: We can have more government or we can less government. And I'm not saying that that's an absolute measure. It's a relative measure. There's times when we may need more. I think 1787 would come to mind. I don't know if we've had a year since then but there's times that we need more and there's times that we need less depending on where we are. And we are now in a moment in which we need less government.

I think most of the people in this -- in this building, in both parties, realize that on some level that we've overreached ourselves.

I know most of the people in this state realize that government has overreached ourselves and this bill presents a clear choice to see what direction we want to go. And if you believe that we have too much

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government, that we have too many mandates, that we spent too many -- much time telling people what to do and how to live their lives and how to conduct their affairs, I urge you to vote against this bill.

Thank you very much.

THE CHAIR:

Thank you, Senator.

Will you remark?

Senator Cassano.

SENATOR CASSANO:

Thank you, Madam President.

I rise to support this bill. When I chose to run for the Senate seat I was asked throughout the campaign what would I do on paid sick leave, and I made it very clear, I would support it. Probably have an advantage in doing that because I do it. My wife and I own a daycare center. She's really makes it work. She's runs it. I pay bills, but we have over 100 children, an average of 100 kids a day, between full-time and part-time, mostly part-time. We've got about 35 workers and they all get five days sick leave and they get five days sick leave because we don't want them to come to work sick. We don't want their children, the children of the people, the 100 that we

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have every day, we don't them coming in sick. You have a fever, you got to go home and if you know anything about day care, there's probably no place where germs can spread more than among children, children to parents to workers and vice versa. So we put that in because not only does it protect our workers, it protects the children in the center, and it also allows parents to go to work because if our people are sick, they have no day care. And so it's kind of a revolving circle that we've seen work and so we have done this for several years because it made sense for us, economically and healthwise.

Some of you know for some 28 years, I taught sociology at Manchester Community College. One of my favorite books that I used to assign was by Darrell Huff, "How to Lie With Statistics." I think everybody here in the building has a copy, and we use statistics well.

The threat of risking scolding from the President, I'll give you a quick example. Ted Williams hit .406, 4 out of 10 times he had a base hit. Well, I can look at that negatively. Six out of ten times, he didn't even get a hit. We can take statistics and we can change them any way we would

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like to, and we do that consistently in both chambers, in life, in whatever we do because numbers are deceiving.

I have here five reports. Five reports from five different sources that look at sick days here and the statistics are probably very different than what has been cited so far. The Economic Policy Institute out of Washington DC was one of the first one's I looked at. They point out the average worker with sick days only takes 2.41 days a month -- a year -- a month, excuse me -- 2.41 is the average.

The Institute of Women's Policy Research, I think that might be using statistics probably pro as high -- we define statistics.

Here's a great one, you might have received it in the mail, MomsRising.org. This is moms through 50 states who are talking about the value of sick leave and what it means to them that their children, in fact, are getting care that they're getting the opportunity to go to work and if they're sick, to take care of the children.

And, of course, the one that many of us refer it to is the Forbes Report, which points out that \$180 billion annually is lost because of sick people

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working and so we have the term "presenteeism."

We spend millions of dollars trying to keep people healthy, billions of dollars. In the Hartford region in the State of Connecticut is no different. I can tell you that we have almost 30,000 cots, c-o-t-s. Cots in storage here in the Hartford region in case of a bird flu epidemic and other parts of the state have the same thing.

We have spent millions of dollars to prepare ourselves against these kinds of diseases, millions, and we continue to do that so that we can be safe. And remember the panic that we went through with the last bird through -- bird flu panic. Ken Larsen was the mayor of East Hartford when the first one came and I remember the big issue was East Hartford dumping their crows in Manchester. As we went back and forth and kidded over this but the fact is there was no kidding about bird flu or swine flu or any these other kinds of things. And each of your regions has gone through a vaccination program where we have rehearsed, in case it comes, vaccinating 50,000 people so that we can be safe.

All this bill does is provides that opportunity for sick people to stay home. And if I look at it

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that way, it makes sense to support the bill.

I will leave it at that and I thank you for your indulgence.

THE CHAIR:

Thank you, -Senator.

Thank you, Witkos.

SENATOR WITKOS:

Thank you, Madam President.

If I may just one question before I make my remarks to Senator Prague.

THE CHAIR:

Please proceed.

Senator Prague?

SENATOR WITKOS:

Thank you.

Through you, Madam President.

When I read the bill, I couldn't find out or find where the -- under Sub 2 of Section 1, where it talks about day or temporary worker. It provides a definition but I couldn't find it anywhere in the bill where that would come into place, and if she could direct me to that, I'd appreciate it.

Through you, Madam President.

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Senator Prague.

SENATOR PRAGUE:

Madam President, through you to Senator Witkos.

Senator Witkos, I'm looking for the section in the bill where it says day and temporary workers are not covered. I'll have to find it for you, but I know it's in here.

THE CHAIR:

Senator Witkos.

SENATOR WITKOS:

Thank you, Madam President.

I thank Senator Prague. That's fine I just was wondering why we defined it and then I couldn't figure out from there where -- why was -- where would be applicable in the bill but if it says that they are not eligible for this benefit then I'm happy with that answer. No need to further continue to search.

After listening to the debate and we talked a lot of different topics. In my mind, it comes down to really two components. One of those do we provide a leave from work due to sickness, and the second is do we provide a cash benefit to replace the wage that you lost due to the absence. That's pretty much what it comes down to, in my opinion, as to a very, very

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simple terms.

And, you know, when I first heard the concept of paid sick leave -- it's been around for a few years now -- I was opposed to it. And the bill has been bantered around and we heard there's some-head counts and straw polls and we have the votes and we don't have the votes and things were changed, as information was brought to certain folks attention, and there were carve-outs made and then we had the votes.

And when we look at and read the bill, you know, it really, in my humble opinion almost applies to everybody. I don't really know of many full-time employees that don't have some type of paid time off. Almost everybody does whether it's a vacation day, personal day, except for the restaurant industry. And I heard that we were wondering -- we've gotten e-mails from our constituents, whether it's good or bad, and I didn't get one e-mail from a waiter or waitress or maitre d', not one.

I got a lot from business owners, who I don't think understood the language in the bill because there's a lot of misconceptions out there as to what paid sick leave is. They think it's -- some of them have to give to their folks even though they give them

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other time off, and it's not until, you explain it to them, do they understand, oh, okay, well, we already provide that so I guess we're covered.

But I wanted to talk about what happens in the scenario in the bill in the first day of work. The person arrives at work, they've been hired, they've gone through their process and we give them a stack of paperwork they have to fill out. In that paperwork is they have an insurance card, if the -- if the employee -- employer provides insurance with benefits. They get their paperwork they have to do for their pay, whether they file for exemptions for a spouses or not, W2s. If they wear a uniform they get issued or measured for their uniforms and then there's a provision in the bill that says the employer must talk to them about the sick leave accrue policy and imagine that conversation.

The person's so excited to start their first day on the job and they're -- they're -- here's your stuff to fill out so you can get paid. Here's your uniform so you can do this. Here's the other things that are part of your employment package. And here's the sick leave policy the State mandated down to us that you get one hour for every 40 hours of work as -- and

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we're not allowed to retaliate against you. And if we do, here's how you have to go about filing a complaint so you can come after us.

I mean that's on the first day of work. It kind of takes the wind out of your sails if you're the new employee looking to start a great relationship with your employer. I think it's somewhat hard for the employer to say that to the employee.

There's, obviously, a reason why they may not have offered that benefit.

Then most employers, they have their benefits starting on a graduated scale. Usually, there's a probationary period so you'll start something the 30-day mark, the 60-day mark, the 90-day mark. But we've said that rather than go by days, in this bill, we're going by hours. And that's interesting that we would choose 680 hours, specifically, to address that issue. And I've heard folks saying that, well, if we do an average of five days a week at 8 hours a day, it takes us 17 weeks to get there so that'll take care of the summer folks that may work seasonally.

But those that work in the camps, they work more than 8 hours a day. They often work 12 to 14 to 15 hours a day, sometimes 6 days a week. So they really

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could complete the 680-hour requirement in as little as nine and a half weeks. And I don't know how many kids that come home from college or folks that like to do that seasonal job -- a teacher, for example, who is out for the summer, looking for summer employment, may be hired as a counselor in a camp. They're not looking for paid sick leave, but, they're going to get it if they hit 680-hour mark.

And then I heard from my good friend from the 5th Senatorial District that she checked with 15 of her business employers, small business owners, so they're not even applicable to this legislation here. Every single one of them said that they provide sick leave. All 15 that she checked with provide some type of approved time off -- I won't even say sick leave -- I'll say approved time off. So then we start saying, well, if the smaller businesses are doing it, who are the large businesses that aren't doing it? And while we may not want to point fingers and state names in the Circle, I'd like to know who out there doesn't provide some type of approved time off for their full-time employees. I think maybe if they were embarrassed, they would do it.

We talk about a cost, yet, we preface that by

saying, well, it's a small cost. Well, there are other things that are small costs, but they add up. Some point in this legislative session we'll be talking about energy policy in the state of Connecticut. There's a lot of small costs in that one-tenth of a cent. Talk about small but that adds up to millions and millions of dollars, equating to the second highest electric rates in the State of Connecticut -- in the country. So when we talk about small, let's be careful how we characterize that because it can be misconstrued. As we sit around the Chamber, it may be small to us, but the struggling business where the owners have decided not to take a salary, it'd be quite cumbersome to them.

And we talk about forecasting, we use forecasting in a lot of different things. We use forecasting when we look at the overseas trade market. We forecast our electrical needs the day prior so we know how much electricity to buy. And we hear businesses look at what is the Connecticut General Assembly contemplating this legislative session? We want to know how friendly they are to the business community. What are they going to hand down, and what are they talking about? And sometimes we have public hearings, and I

think it's a good idea to have public hearings. But sometimes what happens is we have them year after year after year after year, and that's what's happening with this bill. And I'm somewhat concerned that -- I don't even know how long, how many years it's been up here -- but folks have said its been dwindled down and reduced.

Well, if the point is that we want to provide and mandate sick leave, why should we reduce it? Why should we dwindle it down? Why should we be happy that, okay, we just got something passed so we can celebrate that. I don't think that's cause for celebration because the argument is that if it's this important, as a public policy, then we should do it across the board for everybody.

I'm concerned that in part of the bill it says that if an employee leaves work and they can make up their hours later on, they don't have to use their sick time to be paid, and they can't be held or retaliated against them. And I'm aware of a possible scenario where there may be an event in a town or a taste of, you name the community, and folks that are working at the restaurant may not necessarily like that day because there's not really that many tips

because people just are in the fair, they want to walk around and just taste the different samplings. And they say, Oh, god, here we go again. I hate this day. Well, now I'm going to use a sick day. I'm not coming to work. And guess what? They get to pay me for that day. And it's who cares because my employer can't do anything against me and that draws concern to me because I know in my little field there's certain events that happen that folks don't want to work. They have to, but that's life, they're getting paid. Okay. And there's repercussions for not coming into work. And in here, in this bill, we're saying that your employer cannot retaliate against you if you take a sick day.

I'm not sure if that is an affirmative defense to say the employer can talk to them about an abuse of sick time, because this is a, in my scenario of an annual event, the person just happens to call in sick on that particular day or use a sick day, or those that review a person's time sheet, it seems like the sick days always occur on a holiday or on a Friday. It makes it tough for folks to work that they can't talk to them about that or possibly terminate their employment because they feel that they're taking

advantage of the system.

We talk about statistics. Of course, statistics can be turned any which way you want them to happen, and I don't believe in statistics. It depends on how the question is asked and how it's presented. We can make and show anything that we want to happen, happen, basically. I think the true answer I found was when I walked, or arrived in the building this morning and I kind of walked around downstairs. CBIA was having an event for manufacturers and other businesses throughout our state downstairs, and I was going up asking folks, What is it that you do? How many employees do you have? And their immediate concern was, Oh, we're here to also talk to you about this paid sick leave bill and this other bill where you hold people hostage.

They don't, again, know the intimacies of the bills that we're passing. But they're afraid. And that's what concerns me that the bill's changed within the past week to two weeks.

This legislature, I think, has got to do a better job of making sure that the changes are out there for the general public to see prior to us coming to Chamber and voting on passage, not the last minute

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things, especially substantive bills, such as this, which may have a profound impact, not only on the employee but the employer.

With that, Madam President, I'm going to sit and listen to the remainder of the debate, and I do have some concerns with the bill. I wish that the current version of LCO 7200 was out there a little bit earlier so folks could've had their mind a little more set at ease. I hope that the business industry has heard loud and clear the intent of what is attempted to be accomplished here.

But I guess my overall issue is how far should government reach into the affairs of the business, and it's not bad being the pioneer in things. I have the book that says Connecticut's first, and it has, I'm proud of the fact that I'm a resident of Connecticut. I'm proud of the fact that I'm a member of this Chamber and we were the leaders in a lot of different things, and it takes courage to be a leader. But it also reminds us that we need the folks behind us as well.

And I wish we could have spent a little bit more time working with the business community to craft a bill that would apply to everybody without the special

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carve-outs, and I understand the fears of the food service industry. I think that's basically what we're talking about is the food service industry, that we had the opportunity to hear from waiters, waitresses, and restaurant owners who will be directly, mostly directly, impacted by this bill and not all the other folks that aren't.

So I will sit and thank you very much for the opportunity to speak, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark?

Senator Roraback

SENATOR RORABACK:

Thank you, Madam President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR RORABACK:

I think it was this summer I was driving in my car listening to the radio and Katie Couric did a little five-minute kind of commentary section and Katie Couric came on the air and said it's time for our country to adopt a policy of paid sick leave, particularly, for people in the food service industry

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and people who are in the health care industry.

And, Madam President, I have to say I have to agree with Katie Couric because if this is to be done it only makes sense that it be done on a national level so that we don't put Connecticut at a competitive disadvantage with neighboring states. And whether you are happy with this outcome or unhappy with this outcome, the reality is if this bill passes the business in this -- the business community in Connecticut, as demonstrated by this big folder we've all gotten from the Connecticut Business and Industry Association, is going to be disappointed that we have, once again, tied one arm behind the back of the economy which is trying to revive in the State of Connecticut.

Madam President, what we're debating here today seems to be paid sick leave -- and I guess literally that's what it is -- but what we're debating goes beyond that because what we're debating is the wisdom of Connecticut distinguishing itself as being the only state in the nation that wishes to reach into our businesses to compel them to provide a certain type and level of benefits. And I had, in the building this morning, a representative of a Fortune 500

company that has a plant in my district. And that Fortune 500 company is deciding where to expand their operations and when they called the plant manager in my district and say, What's going on in Connecticut?

She has to come clean with them and say, Well, the legislature is about to pass this mandate.

And the people at the home office say, Oh, well, it doesn't really matter. We already provide paid sick leave to our employees. That's not the point. The people in the home office say, This Connecticut legislature seems willing to go places no other legislature is going.

And today it may be paid sick leave and today that may not have any consequence on us because we already offer it. But the fear that we plant in the hearts of decision-makers is real. Whether they're right or they're wrong, they hold that fear and because they hold that fear, we will suffer in the years ahead through lost opportunities.

And it's very hard to measure what opportunities are lost because it's not often that a corporate CEO says, I would've chosen Connecticut, except you passed this bill and that made me leery. That's not typically a pattern that decision-makers follow when

making a decision. But, suffice it to say, that this gesture is not going to be conducive to building confidence in those who might chose to expand their businesses in Connecticut.

Madam President, through you. Well, I also would say, I represent 15 communities, Madam President, which is more communities than any other member of this General Assembly. And in the 15 communities that I represent, I'll bet, there's, who knows, pick a number 200 restaurants. And of those 200 restaurants, I have a hard time thinking of any that employ more than 50 people. I could tell you the Goshenette doesn't employ more than 50 people. There's usually two or three people there. And if I go to Litchfield, I can name all the restaurants on -- I don't think the West Street Grill employs more than 50 people. And you can get, you know, that's a pretty desirable place to go and not to diminish any of the other, that's just kind of name that's familiar to people who aren't from the Litchfield area.

So, through you to Senator Prague, I get why it is we don't want Connecticut citizens exposed to workers who are sick, but what do we tell the people that are going to the 200 restaurants in my district

that don't hire more than 50 employees?

Through you, Madam President, to Senator Prague.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Madam President.

And through you to Senator Roraback.

Senator Roraback, I would hope that those restaurant owners respect their customers and tell their employees, Look if you're sick, don't come to work.

First of all, I have to make a statement about restaurants. If I went to a restaurant and some waitress waited on me and it was obvious that she was sick, you know, I'd feel bad for that waitress because I would understand that she's there because she needs that days pay, but I'd be pretty angry at the employer and the owner of the restaurant, and I'd probably wouldn't go back there again.

People who are employers have to be sensitive to their customers, and by being sensitive to your customers, particularly in the restaurant business, you say to your employees, Look, please don't come in sick, either switch your shift with somebody else or

stay home. I don't want my customers being angry because they've come to my restaurant and my employees are sick.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

I don't think I could've said it better myself. I think Senator Prague and I see the world in exactly the same way. Where our opinions diverge, Madam President, is this notion that Senator Prague -- and I don't want to put words in her mouth -- but through you to Senator Prague, I thought this whole bill is predicated on the notion that people are coming to work sick and working when they're sick because they can't afford not to work.

And, through you, Madam President -- and I can appreciate that that's a risk and my hope would be that the restaurants that I go to, the owner of the restaurant would say -- whether or not they have paid sick days -- I don't want you here if you're sick. And that both Senator Prague and I would want for that individual not to work if they're sick, through you, Madam President to Senator Prague.

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THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

Senator Roraback, you're right. We wouldn't want to go to a restaurant where somebody is sick, and we hope that the employer says to the employee, Don't come in sick; it's bad for my business.

And you would hope that they would have a policy that, you know, knowing that this person is working, needs that days pay, you would hope that they would have a policy that provides sick days.

I have to tell you that your colleague for whom I have a great deal of respect, Senator Kane, who is the ranking member in Appropriations, said that he has a small business. I think he has five employees, and guess what, he gives them sick time, paid sick time. I respect that. I have a lot of respect for that, and I would hope that other employers would do likewise.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And I respect that as well, and it would be my

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most sincere hope that all employers would make that benefit available to the extent that it was reasonable and made sense.

But the question I was trying to get at, Madam President, is I see ads on TV that suggest that if we pass this bill, we're going to have a healthier Connecticut because sick people won't be going to work because they'll have paid sick days. But my question to Senator Prague is, I've got, I'll bet, 200 restaurants, maybe 150, I don't know, maybe only 100, a lot of restaurants, little restaurants, that don't employ more than 20 people let alone more than 50 people. They're not going to be affected by this bill. So anyone that's going out to eat in my district, the world is not going to change with passage of this bill.

And through you, Madam President, if this is the right thing to do, why isn't it the right thing to do for the people in my district that eat at small restaurants.

Through you Madam President to Senator Prague.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

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Madam President, to Senator Roraback.

Senator Roraback, if you and I were the only two people voting on this bill, we would probably have it the way we really would hope it would be. But there are 36 of us here in the Chamber, and there's 100 and how many downstairs in the House, 151. Lots of people have had input into this bill, and we need a majority of the legislature to vote positively so that we can get this bill passed. That's the way we work around here.

If I had a magic wand and could have my own way, I would certainly include the restaurants in your district, but that's not the way it is. It's only for businesses of 50 or more employees.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And I appreciate Senator Prague's earnestness, and, quite frankly, I for one would be more inclined to support this bill if it didn't exclude virtually all of the eating establishments, and I would say it excludes 95 percent of the eating establishments in the state of Connecticut. And yet, we're going to

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have a big headline and celebration and a lot of fanfare when at the end of the day for most people that eat in Connecticut restaurants and for most people who work in Connecticut restaurants, nothing's changing. And I, it's not Senator Prague's fault. I understand she would like this to be a more comprehensive bill, and the legislative process does result in bizarre outcomes, but it doesn't lend to bolstering our credibility on the street when people really take the time to look at what we're doing.

Madam President, and that goes to my final question to Senator Prague, and I think the answer's going to be the same. Our YMCAs, god bless them, they lobbied us day and night to not be covered by this bill, even though they are providing childcare in the City of Torrington and throughout the state of Connecticut, they are caring for our youngest and most vulnerable people. My YMCA said if this passes, it's going to cost us, I think they said \$15,000 and we're going to make it up by not sending kids to our summer camp on scholarships. The money that we use to send kids to our summer camp on scholarship will be used up paying for paid sick leave.

So, through you, Madam President, can she offer a

rationale beyond its politics as to why we cut out the YMCA. Well, through you Madam President to Senator Prague, would it have been her preference to have kept the YMCA under the coverage of this bill.

Through you Madam President to Senator Prague.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Madam President.

Through you to Senator Roraback.

Senator Roraback, it would be my preference to put lots of people under this bill but after I met with the Ys, frankly, I understood their dilemma. They have the same people. Some of their employees supervise kids swimming in the pool as lifeguards for a short period of time, maybe an hour or two hours. And then those same people go over to the daycare center and work there for a couple of hours. And then they might go into one of the classes and do some teaching. For them, it would be an administrative nightmare. I could understand their dilemma.

I feel, personally, and this is only the way I feel, that they probably say to these people who work there in various jobs, you know, if you're sick don't

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come in because we don't want you exposing these kids to any kind of illness you may have. I didn't ask them that. I just listened to what they had to say, and I completely understood their position so, consequently, they're exempt.

THE CHAIR:

Sorry.

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And I appreciate your sensitivity to their position, but would Senator Prague agree there are still individuals who work for them who are in direct contact with our children whom we wouldn't want going to work sick and who may now have to go to work sick because they're not going to get the benefit of this paid sick leave that this bill requires, through you Madam President -- going back to the whole premise of the bill from its inception.

Through you, Madam President to Senator Prague.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Thank you, Madam President.

Senator Roraback, they said they had a policy that if somebody was sick, they have substitute people who can fill in for them. They made a point to tell us that because it is a concern of theirs. They don't want their people coming in if they're sick because they do have to be involved with children. So all that person has to do is say their sick and they get this substitute person to come in and take over their responsibilities.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

And that's comforting. And through you to Senator Prague, when I asked the restaurant association, and I said to them I don't want sick people serving me.

They said we have a policy where you get somebody else to come in and cover your shift. So we ensure that sick people aren't serving you.

So through you, Madam President to Senator Prague, would she agree that that's precisely what she is admiring in the YMCA is saying is a reasonable solution to this situation. And so through you, Madam

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President, if that's a reasonable solution to work out the problems with the YMCA, why can't we embrace and respect the very same policy when it's held by a business in the State of Connecticut.

Through you Madam President to Senator Prague.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Madam President, through you to Senator Roraback.

There's a provision in the bill that clearly says -- and I'm looking for those lines -- that clearly says that the restaurant workers can switch their shift with somebody else when they're sick so that then, you know, then they go in on Saturday for this other person or Monday when they can shift around their hours of work. It clearly addresses that in the bill, and I'm looking for that section. On lines 136 to 140, if you take a look at the bill, Senator Roraback.

SENATOR RORABACK:

Thank you, Madam President.

Of course, the copy that I'm looking at doesn't have the line numbers but I have the -- there we go.

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And I'm sorry, which line numbers through you, Madam President?

SENATOR PRAGUE:

136

SENATOR RORABACK:

Yes

SENATOR PRAGUE

To 140

SENATOR RORABACK:

Yes

SENATOR PRAGUE:

Notwithstanding the provisions of the section and Sections 3 to 6 inclusive of the fact and blah, blah. And upon the mutual consent of the service worker and employer, a service worker who chooses to work additional hours or shifts during the same or following pay period in lieu of hours or shifts missed, shall not use accrued paid sick time.

That's the language that deals with shifting around with other people.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you and I appreciate that. I think what

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the bill says is that if a worker chooses not to take their -- if they've accrued paid sick leave and they'd rather swap out a shift than collect that paid sick leave, they can keep that paid sick leave in the bank and work another shift instead.

Through you Madam President to Senator Prague, is that -- I think that's a good provision. Through you Madam President to Senator Prague, is that what this does?

SENATOR PRAGUE:

Madam President.

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

To Senator Roraback, yes.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK;

And my question to Senator Prague was, she said we took the YMCAs out of this bill because they told us when someone was sick, they had a policy where the sick person swapped out their shift with someone who wasn't sick in the daycare center, and that was a good solution to the problem. And so the question I had

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for Senator Prague was if a restaurant has the identical policy that the YMCA has, why is that -- why do we say all is right with the world when the YMCA has that policy, but we should all be very concerned if a restaurant has that policy, through you Madam President to Senator Prague?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Madam President, to Senator Rorabaçk.

The YMCAs and the restaurants have very different kind of involvement with the people that they serve. The children who come to the Y are -- the employee in the Y works in various capacities and it would be extremely complicated and an administrative nightmare for the Ys to keep track of where everybody is at a given time, and it would be really very difficult, not only financially but administratively, so we understood their dilemma.

The restaurants are quite different. And we accommodated what they requested to allow their waitresses to switch their shifts. They said that they don't let their cooks come in sick, but they don't care if the rest -- they didn't have any policy

with the waitresses. And we thought that was a bit questionable but, whatever, we now have in the language the ability for these waitresses to switch their shifts with somebody else.

THE CHAIR:-

Senator Roraback.

SENATOR RORABACK:

Thank you. And I'm almost done, Madam President, but would I just want to --

THE CHAIR:

Thanks.

SENATOR RORABACK:

You're welcome, Madam President. I'm sorry.

And I appreciate how much hard work Senator Prague has put into this bill, but I think it deserves an airing, and I -- the last question that I would have for Senator Prague is I know in my YMCA in Torrington there are people -- it's not hard to track what they do. They work exclusively in the childcare center. That's the only thing that they do. And the policy they have is if they're sick, they can swap out for another day or another shift and that's what you heard from the YMCA.

That's not what you, well, through you, Madam

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President, I thought that's what Senator Prague said she heard from the YMCA that they had a policy where they could swap out shifts so that sick people wouldn't be caring for our kids.

Through you Madam President to Senator Prague?

THE CHAIR:

Senator Prague.

SENATOR PRAGUE:

Through you, Madam President.

That's part of their policy. The other part of their policy is that they have substitutes ready so that if somebody's sick, they call on this substitute.

I understand your concern, Senator Roraback, however, there are issues in this bill that accommodate most of the concerns that we heard from the various businesses. And we tried to make it as accommodating as possible without losing the basic issue here of covering these service workers because, according to the Comptroller's office, there's over 300,000 people in this state who do not have access to paid sick time.

Through you, Madam President --

THE CHAIR:

Senator.

SENATOR PRAGUE:

I'm willing to answer any other questions you might have, Senator Roraback.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you. And I think I've asked more than enough questions, Madam President, and I appreciate Senator Prague's replies and I'm grateful for the indulgence of the Chamber in listening to my questions.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further?

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, speaking in support of the amendment, which will become the bill, just briefly.

First of all, this is an important, although limited, public health measure, and for that reason I think it is certainly worth doing here today because

it addresses the significant issue of what do we want conditions of employment to be in Connecticut and is it only elite and salaried workers who should have the benefits of the protection of paid sick leave. I think it's something that we want to try to expand to others who are in lower wage jobs as many of those in the service industry are.

Like the earned income tax credit, which passed as part of our budget earlier this session, this bill will be a way to improve conditions for workers who are generally involved in lower paying often stressful jobs and at the same time will be affording some additional protection to the public health, as Senator Prague said in bringing out the bill. And many initiatives of this kind have started at the state level, Madam President. Many, as has been said that states are in many ways the laboratory of democracy, as Justice Oliver Wendell Holmes said.

If we look at our state Child Labor Laws and our other protections like workplace safety, many of those that are now national standards began at the state level. And it was the consensus that was built on a state-by-state basis that eventually led to national action and standardization of those benefits at the

national level, but in order to get to that point, some states had to start. Someone had to be first. And I think it is worthwhile for us to take that first small step this year.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark?

If not, would the Clerk please announce a roll call vote. The machine will be open, and this is on Amendment "A."

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber? An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the Chamber?

THE CHAIR:

Mr. Clerk, can you re-announce that there is a roll call vote, please.

THE CLERK:

A roll call vote is currently being held in the Senate on Senate Amendment "A." Will all senators please return to the Chamber. A roll call vote is

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currently being held in the Senate on Senate Amendment

"A." Will all senators please return to the Chamber.

THE CHAIR:

The machine will be locked.

Mr. Clerk -- no, hold on a moment. It's not going to be locked. A senator just walked in. Okay. Don't worry, I'll give you a break.

Thank you, Senator.

Now, the machine will be locked. Will the Clerk please tell the tally?

THE CLERK:

Madam President.

Total Number Voting	35
Those voting Yea	18
Those voting Nay	17
Those absent and not voting	1

THE CHAIR:

The amendment passes.

Would you remark further?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

This bill came to us from Labor and, in fact, if you listen to what I had to say had a lot to talk

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about labor and the cost to business and the cost to employment within this state. However, beyond that much of the debate we had referred to public health, and I know that this bill never came to Public Health. So with that, Madam President, I move that we refer this bill to Public Health, and I ask for a roll call vote.

Thank you.

(Senator Duff of the 25th is in the Chair.)

THE CHAIR:

Thank you.

Can you repeat yourself, Senator Welch?

SENATOR WELCH:

Yes. I've asked that this bill be referred to the Public Health Committee, and I asked for a roll call vote.

THE CHAIR:

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, would urge rejection of the motion to refer.

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Thank you, Senator Looney.

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I thank Senator Welch for the amendment.

Actually, most of the discussion here today was about food service workers and daycare workers and people being sick, and we don't want people to come to work sick. We're worried about kids. We're worried about our customers. We're worried about the daycare workers, on and on and on.

I know these people on this side of the aisle made it about business but, when you think about it, it truly is a public health concern and I think a lot of you around this Circle are voting on this based on the public health capacity so I do believe that it should be referred to the Public Health committee, and I stand in, with Senator Welch, and I appreciate his motion and will be speaking in favor of it and voting in favor of it.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Kane.

The machine will be open. Members take their

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seats, and Mr. Clerk.

Just for clarification, a yes vote is to refer, a no vote is to reject.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber.

THE CHAIR:

Have all members voted? Have all members voted?  
The machine will be locked, and the Clerk will announce the tally.

THE CLERK:

Mr. President.

Total Number Voting	34
Those voting Yea	13
Those voting Nay	21
Those Absent and not voting	2

THE CHAIR:

The motion fails.

Senator Prague --

Senator McLachlan.

SENATOR MCLACHLAN:

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Good afternoon, Mr. President.

THE CHAIR:

Good afternoon, sir.

SENATOR MCLACHLAN:

I rise for the purpose of an amendment.

THE CHAIR:

Please proceed.

SENATOR MCLACHLAN:

Thank you, Mr. President.

The Clerk should have LCO Number 7206. Please ask that the Clerk call it and I may summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, the Clerk is in possession of LCO Number 7206, which shall be designated Senate Amendment "B," copies of which have been distributed.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

I seek to adopt by roll call, and I seek leave to summarize.

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On adoption -- you may summarize, sir.

SENATOR MCLACHLAN:

Thank you, Mr. President.

Mr. President, this amendment I think begins the hope of the Republican Caucus in the Senate that this state Senate will entertain some ideas to change the bill before us based upon the several hours of debate that we've already had.

And one of the clear concerns that we've heard today is that there is a carve-out for one nonprofit organization and the concern that I have and shared by many members of this Circle is that if we're going to have this mandate on businesses in Connecticut, we must find a way to exempt all nonprofit organizations. And that's what this amendment will very simply do.

When I say "all nonprofit organizations," I specifically refer to all organizations exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. I ask for support of this amendment and urge adoption.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark

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further?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

And I would like to stand in support of this amendment and thank Senator McLachlan for introducing an amendment that makes a whole lot of sense to me.

It's only fair, if we're talking about carving-out one particular 501(c)(3), albeit a very significant factor, an entity in the state of Connecticut, why shouldn't we do it for all of them? We know because all of us in this Circle, I presume, are very involved in nonprofits throughout the state of Connecticut in our respective areas that we represent.

We know all too well that it is very difficult to run a nonprofit. If they were for-profit companies, they would be of the slimmest margins, profit margins, which is an indication of financial health of an organization. Since they're not-for-profit companies we know for a fact that their cost structures are increasing just like they are in the private sector, and whatever financial metric you want to use to assess the financial health of a nonprofit, we know

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that they're getting by by the skin of their teeth in many cases.

This unfortunately -- this underlying bill would impose a burden that would not only create a problem for the YMCAs and YWCAs of the world, it would also create a significant problem for just about any other nonprofit I can think of. So I stand in support of this amendment, Mr. President, and hope my colleagues do as well.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark further?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I also rise in support of this amendment. It is fairly well known that during this very severe economic crisis, Connecticut has suffered probably more than most states given its level of unemployment is higher than the national average but, most importantly, our nonprofits have been asked to do more with so much less. And at a time when their services are required, because of the economic downturn, they also are experiencing a time of some of

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the lowest donations and contributions that we've had, even greater than in previous recessionary years. This puts them at a severe disadvantage.

So many of them that are headquartered in Connecticut are not federally chartered or nationally chartered as has been carved out with regards to the YMCAs and others, some are just specific to Connecticut itself, and if we're doing this in Connecticut and we're going to be leading the nation, as some would propose, then should we not also then be sensitive and cognizant that our very valuable nonprofits that do, as I said, so much for, even state government clients, particularly those that have, work with the disabled. There's a couple of organizations that I can elude to that also have a number of employees both full-time and part-time and this, at the time when they're actually getting less subsidy from the State to actually serve a lot of their clients or have the services necessary that the state has, this makes ultimate sense for us to add them to the list of exemptions that we have before us.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Boucher.

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Will you remark?

Senator Suzio.

SENATOR SUZIO:

Thank you, Mr. President.

I rise in support of this amendment. As I said in my comments before, I was surprised and shocked to see that nonprofits, with the exception of the Y, are not included as an exemption in this. Nonprofits by their very definition have no real profit margin, and, yet, at the same time, they exist to serve the most needy in our communities. If anyone deserves exemption from this, it should be the nonprofits in their entirety not just one entity alone.

In the entire state of Connecticut we're going to exempt -- I'm all for the exemption for the Y -- but the same rationale should apply to all nonprofits. They're not driven by the profit motive. They're not greedy. They exist for altruistic reasons, and they serve the poorest of the poor. Why should there not be a carve-out for any and all nonprofits in the State of Connecticut?

Again, I had a letter from the Franciscans, who never put profit before people, and they said it threatens their ability to provide services under the

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state of Connecticut's -- Connecticut Home Care Program for Elders. They point out that they're compelled to provide that service at 2011 pay scales, but they're getting a 2007 rate -- 2007 rate of reimbursement. It's been four years since it got any kind of adjustment and they're being squeezed mercilessly. And here we are about to impose another cost on them.

The Franciscans aren't given to exaggeration or lying or deceit. They're saying, in this letter to me -- and anyone who wants a copy of it I'll be very happy to share it with you -- "that the passing of this bill will force the company" -- this is the Franciscan entity -- "for which I work and those, like mine, to reevaluate our ability to continue to contract with the State for this service.

"Should we decide it's not financially viable to continue with the program, we would need to cut our workforce appropriately causing those individuals to seek unemployment benefits from the state of Connecticut."

So not only would we lose a valuable service, but we're going to add to the unemployment rolls, totally a contradiction of what this bill is supposed to do.

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So I would urge unanimous support for this. This is the one amendment I would hope there would be unanimity in this Chamber, there would be bipartisan support. It's not a partisan issue. It's about helping those who help others.

And I do have a question or two if I can, for the proponent of the amendment, if I may?

THE CHAIR:

Senator, prepare yourself.

SENATOR SUZIO:

Thank you.

Through you, Mr. President to the Senator.

The amendment, as I understand it, provides a carve-out for nonprofit organizations. There are different types of nonprofit organizations as provided in the Internal Revenue Code: 501(c)(3)s, 501(c)(4)s. Would the amendment, as you have proposed it, Senator, would that apply to all nonprofits, whatever their category is in the IR -- Internal Revenue Code, or would it apply just to certain classifications.

Through you, Mr. President?

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

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Thank you, Mr. President.

Thank you, Senator Suzio for your question.

The amendment before us only specifies 501(c)(3) organizations, which is the predominant organizational structure of the nonprofits, as you and I know them and we've been talking about today in the Circle.

For instance, in the 24th Senatorial District, I identified 21 501(c)(3) organizations that I believe have over 50 employees and would be affected by this bill. And as I look at the list, some of those individuals, perhaps, are already providing some of the benefits mandated in this bill but clearly some of the names on this list may not, and so, hence, the reason for my concern that we exempt nonprofit organizations.

Through you, Mr. President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you.

And through you, Mr. President.

I know that there's a strict definition of what qualifies as a 501(c)(3) versus a 501(c)(4). I'm familiar with a 501(c)(4) because I know it's got an

educational aspect to it.

Through you, Mr. President, could you just elaborate on the qualifications, the mission that is necessary to qualify for 501(c)(3) status from the IRS. I assume -- and I believe it's purely charitable and involves services for the poor, you know, and that kind of a thing -- but I would just like confirmation if I could.

Through you, Mr. President, to the proponent.

THE CHAIR:

Senator McLachlan.

SENATOR MCLACHLAN:

Thank you, Mr. President.

501(c)(3) as I understand it, I'm not a tax attorney by any stretch of the imagination, but my exposure to applying for 501(c)(3) status for several organizations is that it must be charitable, clearly nonprofit, providing a service or membership of some kind and not be in business for the purpose of due profits.

So the 501(c)(4), as I recollect -- and I haven't had exposure to one of them in a little while -- I think you have accurately described as an educational institution, primarily, or is of providing an

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education benefit at no or little cost to individuals.

Through you, Mr. President.

THE CHAIR:

Senator Suzio.

SENATOR SUZIO:

Thank you, Mr. President.

That would be all the questions I have for you,  
Senator McLachlan.

I would again urge this body to unanimously approve this amendment. We're talking about a carve-out for those institutions who by their very nature have been formed to serve the poorest of the poor, the most neediest in our communities who by their very nature and structure are organizations that have no profit margin. They have no room to spare for added costs, and they're not driven by greed or profit so their request to get exemption is no greed or motivation, like that, whatsoever. They're motivated to serve the poor and they want to continue doing that, and if the Franciscans articulate that that itself is threatened, I'd take that as a serious threat and I hope, I don't mean to threaten the sense of, in a bad sense, but I mean as a real possibility which would be bad for our community, and I would hope

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that everyone in this Chamber would vote to allow the Franciscans and other 501(c)(3)s, charitable organizations, who truly serve the poor, to have a carve-out from this mandate.

Thank you very much, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Welch.

Senator Kelly.

SENATOR KELLY:

Thank you, Mr. President.

I rise to speak in favor of the amendment because I believe it's a good amendment to help charity. And the one thing we don't want to do, as I talked before about cause and effect, is to create a chilling effect on charities in Connecticut.

The underlying bill exempts any nationally chartered organization exempt from taxation under 501(c)(3) of the US tax code. So if you're a homegrown Connecticut charity, forget about it, no relief in this bill. But if you're a large, big organization that probably, for all intents and purposes, has these benefits if you're that large, you

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would get protection.

Once again, I see a theme every time I come here that if you're big, big business, big labor, big insurance, big government, you have a home. But if you're a small guy, little guy, middle of the -- middle class family of Connecticut, you don't get a seat at the table. The Y got a seat at the table. But what about the local Stratford charity -- and I can name quite a few -- because as part of my practice, I do file the 1023 Forms with the Internal Revenue Code to establish the 501(c)(3)s. And what you find, when you sit down with people who start these up, are good people who are dedicated to a cause larger than themselves who want to give back to the community from where they've come.

We need more people like that, and we need to create the system and the environment where more people want to engage in that behavior. Oftentimes when you're dealing with start-up charities, you're dealing with people who don't take any financial remuneration. They don't take any pay. Matter of fact, they're often contributing. But if it's a good charity and it's a charity that grows and can do more good work, why would we want to put a chilling effect

on something that helps our communities and, quite frankly, people in need. Whether it's in need of assistance, need of education, whatever the need is, charity fills in where governments stops, or where government doesn't want to go. Those are the types of activities that I think we should encourage.

Now on another note, when we look, we're looking at the big nationally chartered organizations and we're going to allow those organizations that provide all of the following services: Recreation, child care, and education. Since January, I've been driving up here. It's about an hour ride from Stratford, and during that hour ride I often get the opportunity to listen to the radio stations, and I've heard advertisement about different characters on the radio advancing this bill, sneezing all over food, coughing. We've heard it today in the debate that this is about making sure that service industry that serves food, make sure it's done in a healthy way. Well, why isn't that in the bill? Why aren't we going include it here when it comes to charities? Do charities not provide food? I think they do and that should be part of it. Or, better yet, I think what we should do is not limit this to charities.

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I think we should value our charities. I think we should embrace charities. We need more charity because there's not enough charitable intent in this world, and we should foster that activity, encourage it, and adopt this amendment, which I think will not only just extend it to those that are nationally chartered but to our very own Connecticut homegrown charities that can use as much help as they possibly can.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Kelly.

Will you remark further?

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President.

Mr. President, just briefly speaking in opposition to the amendment and requesting a roll call if one had not been previously requested.

THE CHAIR:

Roll call vote will be ordered.

Will you remark further?

Senator Kane.

SENATOR KANE:

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Thank you, Mr. President. Good afternoon.

THE CHAIR:

Good afternoon, sir.

SENATOR KANE:

I think Senator Kelly, yesterday, said that a good idea is a good idea and it deserves re-quoting.

The idea here in the underlying bill is to exempt a nationally chartered organization from this bill, yet we have locally established organizations that do the very same thing and we're not going to exempt them.

So we stand here and say we're pro Connecticut, in fact, we give in state tuition rates for nonresidents just yesterday, but yet we're not going to help the very Connecticut 501(c)(3)s, charitable nonprofits, that are nationally chartered. To my mind, that's an hypocrisy. So I do believe that we should vote in favor of this amendment, Mr. President, and I would recommend all of us vote in favor of this amendment because a good idea is a good idea regardless of who offers it.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark

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further?

If not, Mr. Clerk, please announce the pendency of a roll call vote. The machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber.

THE CHAIR:

Senator Meyer.

Have all members voted? Have all members voted? The machine will be locked, and the Clerk will take the tally.

THE CLERK:

Mr. President.

Total Number Voting	34
Those voting Yea	12
Those voting Nay	22
Those absent and not voting	2

THE CHAIR:

The amendment fails.

Senator McKinney.

SENATOR MCKINNEY:

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Thank you, Mr. President.

Mr. President, I rise for purposes of an amendment. I believe the Clerk is in possession of LCO 7087. I ask that he call the amendment and seek leave to summarize.

THE CHAIR:

Mr. Clerk.

The Senate will stand at ease for a moment.

(Chamber at ease.)

THE CHAIR:

The Senate will come back to order.

Mr. Clerk.

THE CLERK:

Mr. President, the Clerk is in possession of LCO Number 7087, which shall be designated Senate Amendment Schedule "C," copies of which have been distributed.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

I move adoption of the amendment.

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THE CHAIR:

On adoption, will you remark?

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, this amendment is a result of a conversation I had with Senator Prague earlier today, and I appreciate the good Senator's conversation with respect to Section 5 of the bill.

Section 5 of the bill, essentially, is the section that deals with the retaliatory personnel action, and I think what most people outside of this Circle don't understand, and I hazard a guess that maybe even some in the Circle don't understand, is that Section 5, Mr. President --

THE CHAIR:

Senator McKinney --

Please take your conversations out of the Chamber, please.

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President.

Mr. President, Section 5 of the bill actually deals with more than just service workers. In other words, this bill has been posited to us as a bill that

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will provide paid sick leave for service workers for companies of more than 50 employees, as long as they're not manufacturing companies, according to certain US codes -- which by the way is not all manufacturing companies -- or some nationally chartered organization 501(c)(3) which, parenthetically, we're not sure actually includes the YMCAs -- that would be kind of funny. But this section actually goes beyond that. So what this section says is if that you are a company in the State of Connecticut that employs more than 50 people and you give your own paid sick leave policy, this retaliation section applies to you. That means whether you're an insurance company, like Aetna or The Hartford, whether you're a company, like UTC, which isn't solely a manufacturing company, whether you're a law firm of more than 50 employees, this retaliation section applies to you.

And what it does is it sets up a cause of action for employees who feel aggrieved by their company somehow not recognizing their company's own paid sick leave policy. I believe, in fact, there was another bill in the legislature that dealt with a dispute between AT&T and the Communication Workers Association

Union -- that essentially would set up a cause of action for those employees under this section.

The amendment, Mr. President, would limit Section 5 and the retaliatory action only to service workers, and it would change in line 214 of the file copy, 7200, the amendment, which is now the bill, the word "employee" to the words "service worker."

All throughout the bill we refer to employers and service workers, when we get to Section 5, we refer to employees because what we've done is we've allowed the Labor commissioner to set up a process by which people can file their grievances.

So understand what we've now done. We've now said to all of those companies over 50 employees who give paid sick leave and vacation days and personal days -- many of those companies give far more than the five days -- we've now said to those companies, you now are subject to this retaliatory process through the Department of Labor, and we've now said to those companies that they will have to live with the definition of a retaliatory personnel action.

And let me remind my fellow senators that a retaliatory personnel action means "any termination, suspension, constructive discharge, demotion,

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unfavorable reassignment, refusal to promote, disciplinary action, or other adverse employment action taken by an employer against an employee or service worker."

Understand what that language says. This isn't about a retaliatory action taken for not using your paid sick days. This says that any time, any time, Aetna or The Hartford or a large law firm or a CPA firm were to take any adverse action against any one of their employers -- their employees, their employees can avail themselves of Section 5 and that means they can file a complaint with the Labor commissioner. And there's going to have to be a hearing, and the Labor commissioner is going to have to make a determination by a preponderance of the evidence.

Does anybody want to do that? Other than, perhaps my good friend Senator Prague. Does anybody understand that that's what this bill does? There are a lot of law firms in West Hartford of more than 50 employees, Hartford, Connecticut, Day Pitney, for example. If they decide not to promote someone to partner, they now have a cause of action under Section 5, a cause of action that now does not exist under law.

If UI wants to take an action and not give someone a raise, that employee now has a cause of action under Section 5. If The Hartford doesn't want to give somebody a promotion, that employee now has a cause of action under Section 5 of this bill, causes of action, which now do not exist. This section goes way beyond the issue of paid sick days for service workers, way beyond.

And I want to say, Mr. President, after having discussions with different counsel, those for the Majority Party, after talking with officials from our Department of Labor as to what this language meant, I respect the fact that Senator Prague said, No, John, you're right. This does go much beyond the language of service workers.

But why are we doing that, Mr. President? Why are we taking a bill, which is paid sick leave for service workers and applying the retaliatory personnel action to any employee of any company over 50, provided they're not manufacturing company or YMCA?

To me, that goes too far. To me, that makes a bad bill even worse, and I think this amendment would be very consistent with the bill. This amendment does not in any way strike or eliminate or destroy any of

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the contents of the underlying bill. In fact, this amendment is far more consistent with the underlying bill and it limits the retaliatory personnel action only to the people getting paid sick leave under this bill.

Mr. President, I would urge adoption of this amendment and ask that when the vote be taken, it be taken by roll call.

THE CHAIR:

Thank you, Senator.

A vote will be taken. It will be taken by roll.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I rise to support the amendment.

Our good Minority Leader has pointed out indeed that this makes a very bad bill so much worse. In fact, the whole retaliatory section was a great concern to me because of the smaller restaurants and diners in my area and for them a piece such as this that does allow you to adjudicate this or move any of this to the Superior Court system would involve a costly litigation process that most small mom-and-pop

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restaurants and diners, family diners, can't afford. But now that we see that not only does this apply just to service workers but, in fact, our general corporation and business community in Connecticut, there's no question that for this bill to be moved forward by the entire General Assembly on both sides of the aisle, this particular amendment must be passed in order for the bill to be viable.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Welch.

SENATOR WELCH:

I, too, rise in support of this amendment. One of the consequences of the bill as it is written without this amendment that I haven't heard discussed yet is that we will be discouraging our employers in the state of Connecticut from having any paid sick leave benefit that is richer, that is better, than what the mandatory minimum requirement is with respect to this bill. And I don't think that is a consequence that the proponents of this bill want.

So, with that, and for all of the reasons

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discussed by Senator McKinney and Senator Boucher, I, too, support this amendment.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Senator Boucher, for the second time.

SENATOR BOUCHER:

Thank you, Mr. President.

Mr. President, I wasn't expecting to get up for the second time, but if the proponent of the amendment could take a question with regards to his particular amendment.

Through you, Mr. President?

THE CHAIR:

Senator McKinney, please prepare yourself.

Senator Boucher.

SENATOR MCKINNEY:

Sorry. This is new to me, Mr. President. Now I know how Senator Prague feels.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Yes, thank you, Mr. President.

Mr. President, I noted here in lines 160 to 177

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that there is certain requirement for documentation of three consecutive days of sick leave being taken under this, and it's pretty extensive as to the different things that could apply to documentation. However, it looks as if this benefit does not have to be verified if there are not three consecutive days, which means that a person just simply can call and say that they needed a sick leave day for any particular process.

Through you, Mr. President.

THE CHAIR:

Senator McKinney.

SENATORY MCKINNEY:

I believe that's correct.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. President.

I think that what was just pointed out previously with regards to the amendment and why this is so important is that it is well understood that there can be severe cases where individuals will take valuable time off, oftentimes, on a Friday or a Monday, many times a Friday or a Tuesday after a holiday on a consistent basis along with other workplace issues

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someone might have where an employer would have to, what might be perceived as retaliatory but, in essence, really an evaluation that might affect the person's performance or the department's performance or the functioning, the well-functioning of a business and that would precipitate, I'm sure, this particular legal process to go into effect and makes it even more problematic as far as I see it and greater reason to support the amendment.

Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further?

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President.

I urge rejection of this amendment.

Thank you.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Mr. President.

I think we all have to, once again, do our soul searching and figure out what we're doing here. We're sending out a message in this underlying bill to employers in the state of Connecticut currently. We're sending it to employers who might consider coming to Connecticut. There may be a few more out there that do indeed think that Connecticut is -- is still a good place to do business, but when we're when we're -- essentially, inviting the potential abuse of the retaliation procedures that employees can bring to the court system, I think potential employers are going to look at that and say, What is Connecticut thinking?

And why is the week -- whatever it is, the third week of May that, you know, the anti business week.

I know intentions here are well and good, but we also have to think about what sort of impression you leaving on decision-makers in the business community when they're looking at this.

UTC is in the building I believe as we speak. They were down for Industry Day -- up here on the Capitol for Industry Day. And, you know, a good case in point the plants in East Hartford where they were

going to shut it down, the Attorney General and others took this through the judicial system to essentially get a final decision by a judge of a higher court to say, Hey, Pratt & Whitney, you can't -- you can't close the plant for nine months or a year, whatever the time period was. And that's a very nice victory for the side for the plaintiff for nine months, but do you think UTC is thinking are we're ever going to do a new investment in the state of Connecticut unless we have to by virtue of federal contracting requirements. Of course, they're not going to.

So this amendment -- this amendment fixes, to a degree, a bill that I think sends out a very bad message to the business community, and I would urge everybody to vote for this because it is a well thought out one, and Senator McKinney did a great job articulating why is going to make this bill less bad.

Thank you.

THE CHAIR:

Thank you, Senator. Will you remark further?

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

Through you if I made a couple questions to the proponents of the amendment.

THE CHAIR:

Please proceed, Senator.

SENATOR RORABACK:

Thank you, Mr. President.

Through you to Senator McKinney.

I'm reading the definition of "retaliatory personnel action" and amongst the constituent components of the definition of that term "retaliatory personnel action" is "an unfavorable reassignment."

And through you, Mr. President to Senator McKinney, I was wondering if he had an understanding of what that term meant.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Well, Mr. President, I don't have a specific definition because it is a very broad term. Obviously, the way this amendment and the bill are drafted is to say that you would look upon this from the viewpoint of the employees, Senator. Therefore, what does the employee would view as an unfair reassignment.

For example, since Section 5 could apply to a large law firm in Connecticut of over 50 people -- I once worked for a law firm of over 50 people. I was in the litigation department. I did not want to do corporate work. Perhaps, if the partnership had assigned me to the corporate department, I would have viewed as an unfavorable reassignment. That would have been deemed by definition a retaliatory personnel action. I would have filed with the Department of Labor and we would have had a hearing. Whether I would have won? I don't know but the cost to the Department of Labor for such a ridiculous measure, I think, is going to mount considering the fact that this section applies to all companies in the state of Connecticut of over 50 people.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

And through you, Mr. President to Senator McKinney.

Just so I understand if Senator McKinney took a sick day -- if he worked for the law firm, he was sick. He took a sick day. In accordance with the terms of the law firm's policy, once he had taken a

sick day, would it not be the case that any unfavorable treatment that he felt he was the victim of, subsequent to taking the sick day, would be the grounds to file an action under section 5.

Through you, Mr. President, to Senator McKinney, is that how he reads this section?

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

I think at the very least, Senator. At the very least, once you use either a sick day as provided under this bill -- you've accrued your time, you've accumulated the time, you have sick time accrued, or if your business that you work for has its own sick policy. Once you've taken a vacation day or sick day, at the very least, you then have a cause of action for any retaliatory personnel action. Having said that, I would refer to Senator, Section 5 of the underlying bill. Section 5 never references the sick days or the use of sick days, necessarily, as a precondition because it talks about -- it talks about requesting or using. So it could be that you simply ask to take a sick day or vacation day and that would give you a cause of action not that you would actually use them.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I think that all of us should take a deep breath and understand the import of this language. It seems as if if this bill passes without Senator McKinney's amendment, we are going to be creating a problem potentially even bigger than the problems created by the underlying bill.

Mr. President, I can't believe that it was -- let me -- I have heard Senator Prague offer her rationale for bill and never once, Mr. President, in that recital of the reasons for the bill did this particular phenomenon arise so I'm hoping, Mr. President, we can believe this provision from the bill and those parts of it which are important to the proponents will survive and we can dodge a bullet that may haunt the business community for a long time to come if we don't excise it with this amendment so I urge your support.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

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Will you remark further? Remark further? If not, Mr. Clerk, please announce the pendency of a roll call vote.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber.

THE CHAIR:

Have all members voted? Have all members voted? Please check the board to make sure your vote is accurately recorded. If all members have voted, the clerk will announce the tally.

THE CLERK:

Mr. President.

Total Number Voting	35
Those voting Yea	13
Those voting Nay	22
Those absent and not voting	1

THE CHAIR:

The amendment fails.

Will you remark further? Will you remark further on the bill?

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Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

The Clerk as an amendment which has been designated as LCO 7174. Mr. President, if the clerk could please call that amendment, and if I might be permitted to summarize.

THE CHAIR:

Mr. Clerk please call LCO 7174.

If I may ask, also, if the gallery, please keep your voices down. We can hear you down in the Chamber.

Thank you.

THE CLERK:

Mr. President, the clerk is in possession of LCO Number 7174, which shall be designated Senate Amendment Schedule "D," copies of which have already been distributed.

THE CHAIR:

Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I move adoption.

THE CHAIR:

On adoption, will you remark.

SENATOR RORABACK:

I will. Thank you, Mr. President.

Earlier in the debate I asked Senator Prague what -- what will happen in the hundred restaurants in my district that are not subject to this bill? How will we going to be -- how are we going to protect people that are not subject to this bill if we go into a restaurant and someone is sick, and Senator Prague said, I hope that the person that owns that restaurant will not allow a sick person to be serving food or preparing food.

Senator Prague and I couldn't agree more that that is appropriate conduct and, Mr. President, what this amendment does is change Senator Prague's hope and my hope into the law of the land. Mr. President, if this amendment passes employers who own restaurants will not be permitted to allow sick people to serve us food or to prepare our food.

At the end of the day, isn't that the protection we are trying to afford to the consuming public in Connecticut? Those commercials with people achooing into our meals or coughing into our soup -- that's what grosses us all out. And if we want to be

protected from that kind of disgusting behavior, passage of this amendment will obligate restaurant owners and employers to send a sick person back home and not have them potentially infecting the rest of us.

Mr. President, I urge adoption, and I hope that members of the circle will share with me a desire to protect the public health for the people of the State of Connecticut is very simple and straightforward way.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further?

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I, too, rise in favor of this amendment. I mentioned earlier that a lot of the debate today was about public health, and I think the opening remarks of the proponent were, you know, would you want someone sick serving your food in a restaurant. And I think all of us would agree, no, we don't want someone who is ill serving as food. So we also talked about the fact that restaurants have a great ability to have

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their employees cover for each other shifts. In fact, I had a conversation with my legislative aide this afternoon who worked in a restaurant going through college. And she said they had this board, at the board it would say, you know, so and so is on for Friday and another person is on for Thursday. You knew exactly where everyone was working and what shifts they would put in and then you would have the ability to trade with those shifts -- with those people on those shifts if you were ill.

So I think, Senator Roraback, because I think it's a very good amendment -- I don't remember too many people besides those on our side of the aisle who talked about the business aspect of this that spoke to nothing but the public health aspect of it. So, if that's where the genesis of this bill is coming from, then I do believe if we want to protect the public health of our constituency, then everyone in the circle should support this amendment.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark further? Will you remark further?

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Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President.

I think I neglected to ask that when the vote is taken that it be taken by the roll.

THE CHAIR:

Thank you, Senator.

When the vote is taken, it will be taken by roll.

Will you remark further?

If not, Mr. Clerk, please announce the pendency of a roll call vote.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will Senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will Senators please return to the Chamber.

THE CHAIR:

Have all members voted? Have all members voted? If all members have voted, please check the board and make sure your vote is correct. All members have voted, the machine will be locked and the clerk will announce the tally.

THE CLERK:

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Mr. President.

Total Number Voting	35
Those voting Yea	12
Those voting Nay	23
Those absent and not voting	1

THE CHAIR:

The amendment fails.

Will you remark further on the bill as amended.

Senator Kane.

SENATOR KANE:

Thank you, Mr. President.

I rise for the purpose of an amendment.

THE CHAIR:

Please proceed, sir.

SENATOR KANE:

Thank you, Mr. President.

The clerk is in possession of LCO 7131. I ask that he call the amendment and I be allowed to summarize.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Mr. President, the clerk is in possession of LCO 7131, which shall be designated as Senate Amendment

Schedule "E," copies of which have been distributed.

(President in the Chair.)

THE CHAIR:

Senator Kane.

SENATOR KANE:

Good afternoon -- or good evening, I think, Madam President.

I move adoption.

THE CHAIR:

Motion is on adoption -- the question is on adoption?

Will you remark, sir?

SENATOR KANE:

I will. Thank you, Madam President.

THE CHAIR:

Thank you.

SENATOR KANE:

There's been a lot of discussion earlier, a few hours ago, in fact, I remember is Senator Suzio and Senator Prague going back and forth about the number of employees that are required under this bill, and I believe it's 50. And the part of the bill states that

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part-time employees -- or if they don't reach enough hours -- I think it's 680 -- would not be eligible for paid sick leave, however, those employees count toward the total 50 number that is required to have a company hit that plateau of necessary number of employees to enact this provision.

What this amendment does, Madam President, is change the term "employee" to those who are full-time, who work 35 hours and above. And I think in my original remarks -- remarks I mentioned an amusement park that I have in my district that has seasonal employees and, obviously, we live in New England so they're not open all year round. They may -- I think the open now because they just opened up a new rollercoaster but this coming holiday week, I'm sure, will be a big weekend for them and beyond, and the Fourth of July, and then, of course, probably they'll go on until a little bit after Labor Day but they can't stay open much longer than that so they have seasonal employees.

I also mentioned another smaller restaurant in my area that has seasonal employees, as well, because they have an outdoor drive-up stand where you can order your food so they, too, are seasonal. The point

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of this amendment is that these employees that although may not be hitting the 680-hour necessary figure, they still count toward the employer's number of employees to be considered under this provision of 50. So what this would do is just change that slightly so that we are counting are full-time employees. We are not counting part-time employees. We are not counting seasonal employees. We've already taken out day workers and temporary workers. Why not take out part-time workers as well? So I don't think this is a stretch. I don't think this is asking too much. In fact, I would see as an olive branch to the business community because if you want to affect the large businesses, then there's those of businesses that are truly above the 50 plateau. This amendment helps the little guys who are right around that 50 number because and Senator Prague knows, she and I debated in Appropriations Committee. I think there will be a lot of companies that are hovering around that 50 that may actually decrease their number to less than 50, or as Senator McKinney mentioned earlier, some employees -- or employers won't hit that 50 plateau because of that reason so why not pull the part-time employees out and just make it the full-time

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employees so that's all this amendment does.

I would assume people on both sides of the aisle can understand that provision. The underlying bill would still -- will not be affected for those companies greater than this, but just let's pull out the part-time employees, the seasonal employees, you know, the college kids, the high school kids who work on the weekends. All those types of things that affect really good honest hard-working businesses that have been around for a number of years that really shouldn't be falling under this provision.

Thank you, Madam President.

THE CHAIR:

Thank you will you remark further?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

I, too, rise in support of this amendment because not only is it an olive branch to a number of businesses. It's an olive branch to potentially a number of not-for-profits which might have a number of part-time workers on their payrolls, and these are people aren't necessarily, might not be working for money but might be working for the love of the cause

that they served and, therefore, are putting in less than a full-time workweek. So not only is it good for the corporations in Connecticut, it's good for the nonprofits; and, therefore, I rise in support and I think Senator Kane for his amendment.

Thank you, Madam President.

-- THE CHAIR: --

Will you remark?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

I also rise in support of this amendment. In fact, that was when the first areas I spotted in this bill that raised quite a bit of concern that, in fact, day or temporary workers, although excluded from this particular bill, were included in the count. And including, such individuals as paid by the person from whom such work has been performed by an employment agency, or temporary help as defined in some of the statutes.

I can tell you that one of my closest friends was a woman entrepreneur who started -- who was an opera singer, in fact, in New York, and started a temporary agency for the medical community for hospitals, home

health care aides and in the field of medicine and her business really took off. It was pretty exciting times. That was about eight years ago.

Unfortunately, however, due to the business climate that we have here Connecticut and the lack of employment, her business started to grow outside of the State of Connecticut and now has many more clients in the states only near us New York, New Jersey, Pennsylvania, and even as far as Georgia. And she is even contemplating now of actually moving the business completely out of Connecticut. Something that really pains me greatly, and unfortunately these stories are being told all the time.

It's just sad when it's someone that you know and that you're excited about, a woman owned business.

We have another woman-owned business that has a bakery that started in our little tiny town. It's called Wave Hill Bakery and she developed a wonderful unique bread that is now in many of the farmers markets throughout our area, and she has now grown out of her space. And when from two or three employees and is getting close to 30 employees and maybe even growing further. My concern is that the same thing might happen with this other woman-owned business

that, in fact, as she grows, as it becomes better known and for good reason, it should, because she has some of the best bread you'll ever eat in Connecticut and is listed, by the way, in the "500 Things to Eat Before It's Too Late," by Jane and Michael Stern of Connecticut that was very famous for road food, the bestseller book.

But these are very wonderful success stories, entrepreneurial success stories that this bill directly targets and would really hurt us.

So to make this, again, a bad bill so much better, I would support this amendment. I think it's just the right thing to make sure that we're not really targeting a lot of smaller businesses, as well, and part-time employees whether they be in a temp agency or otherwise would not be added to the count so we really do make this for small business -- or for a larger business rather than targeting the small businesses that are usually getting off the ground.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark further?

Senator Frantz.

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SENATOR FRANTZ:

Thank you, Madam President.

I can guarantee you that there will be a lot of people who are eligible for part-time jobs, who will not be getting those jobs. Anybody who pays attention to Connecticut state law, if indeed this bill is passed into law, is simply is not going to do it if no other reason just for the record keeping exercise.

Unemployment insurance in Connecticut is alone enough to drive an employer crazy because of the paperwork that needs to be filled out. If he or she hires one temporary worker for three hours, the initial paperwork is the worst then the follow-up paperwork is almost as bad but you have to continue to file or try to argue with the department that, in fact, this person is no longer at the firm, it was a temporary employee, and so on and so forth.

The amount of paperwork is killing employers in the State of Connecticut. This is one more reason not to do the underlying bill. The amendment essentially takes care of it.

And I have one simple question, through you, Madam President, for Senator Kane.

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THE CHAIR:

Please proceed, sir.

SENATOR FRANTZ:

Thank you, Madam President.

Through you, do you consider a full-time employee or a non-part-time employee, someone who works 35 hours or more per week?

THE CHAIR:

Senator Kane.

SENATOR KANE:

Through you, Madam President.

Yes. That's the basis of this amendment. Those who work over 35 hours would be considered full-time.

Through you.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

And, through you, again.

My simple question is how did you arrive at 35 hours or more per week?

THE CHAIR:

Senator Kane.

SENATOR KANE:

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Through you, Madam President.

I think that's pretty much the standard now for a lot of different policies, including health insurance offerings and otherwise, so this would give them, these individuals, the ability to earn that 680, I believe it is. Right? 680 hours, yet remove those individuals who aren't getting the benefit anyway under this bill or move them from the possibility of inclusion at the 50 plateau necessary to be in the bill

Through you.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you.

And through you.

I find it curious that 35 hours is, in fact, the number that were using these days as the standard. I think that's a bit of a commentary. But, with that, I do stay in favor of the amendment and thank you very much.

THE CHAIR:

Thank you, Senator Frantz.

Will you remark? Will you remark further?

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Okay. I'm sorry.

Senator Prague.

SENATOR PRAGUE:

Thank you, Madam President.

I urge rejection of this amendment, and I'd like the request a roll call vote.

THE CHAIR:

A roll call vote will be ordered.

SENATOR PRAGUE:

Thank you.

THE CHAIR:

Will you remark further?

If not, Mr. Clerk, will you announce a roll call vote. The machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all senators please returned to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all senators please returned to the Chamber.

THE CHAIR:

Have all members voted? Have all members voted?  
If so, the machine will be closed, and, Mr. Clerk, will you call the tally, please.

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THE CLERK:

Madam President.

Total Number Voting 34

Those voting Yea 12

Those voting Nay 22

Those absent and not voting 2

THE CHAIR:

The amendment fails.

Will you remark further? Will you remark  
further?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President.

During this week of -- the third week of May  
which may be duly titled the question business or  
anti-business week here in Connecticut. I'd like to  
offer the following amendment.

The Clerk has the amendment. It's Number LCO  
7120 and would the Clerk please call that amendment.

THE CHAIR:

Mr. Clerk.

The clerk is looking for it. There's a hundred  
amendments there, sir.

Thank you, Mr. Clerk.

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THE CLERK:

Madam President, the Clerk is in possession of LCO Number 7120 which shall be designated Schedule Amendment "F," copies of which have been distributed.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Thank you both.

I move adoption and seek to summarize.

THE CHAIR:

The question is on adoption. Please remark.

SENATOR FRANTZ:

Thank you.

With everything we have been doing to corporations, partnerships, LLCs, and the like, sole proprietorships, here in the state of Connecticut over the last few years and, in particular, this week, I offer this amendment which simply does the following: what it does is it changes the effective date of this proposed policy in the underlying bill to that of the date when the 20 percent corporate surtax charge is either repealed or it expires which, I believe, is at the end of 2014.

So, again, what this does is it doesn't allow

this law, if it becomes law, to become effective until the 20 percent corporate surtax is repealed. Again, we've done so much to discourage employers from expanding in this state. We've done so much to discourage employers outside of the State of Connecticut from looking at Connecticut as a place to do business, that we're a wonderfully competitive place. I'm afraid that the message is not a good one. I think this amendment would improve the prospects of Connecticut in a very meaningful way, showing that we do have a certain amount of sensitivity to employers, especially if the larger, because it's \$100 million or more in revenues that the 20 percent surtax charge applies to.

So I stand, obviously, in favor of the amendment and encourage the rest of you to support it, as well. And I would like to humbly ask for roll call when the time is appropriate.

THE CHAIR:

At the correct time, it will be. We will have roll call vote.

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, I rise to enthusiastically support this amendment, and I do that enthusiastically because I think it would be great incentive to -- to actually sunset this 20 percent surcharge by having this be contingent on the underlying bill, which is historic, but I would maintain that our surcharge on business is historic.

We have a reputation or a history or pattern of abusing our sunseting. In fact, the state income tax was to be sunsetted. Our real estate tax was to be sunsetted. We were going to completely eliminate the inheritance tax over a nine-year period, and we were to, of course, sunset this corporate surcharge, an extra percent in addition to the current cost of doing business in our state. And when it jumped up to 20 percent, I have to tell you, it really got a lot of attention. It is a very negative business disincentive, another proposal for business. So if we're going to place a mandate on business, it makes perfect sense to eliminate another one and the say we really mean it this time that when we propose a new tax, a new cost, that we plan to sunset that we just don't say -- say it is but actually put it in actual practice. So for that reason, I support the amendment

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and I hope it gets a favorable review.

THE CHAIR:

Thank you.

Will you remark further?

Senator Welch.

SENATOR WELCH:

Thank you, Madam President.

If I may, I have a question for the proponent,  
through you.

THE CHAIR:

Please proceed sir.

SENATOR WELCH:

Thank you, Madam President.

Through you.

I just want to be clear on what we mean by "cease  
to be imposed." Are we talking about no corporate  
surcharge/tax period, or are we talking about reducing  
it from 20 percent to 10 percent. I just don't have  
those references before me.

Through you, Madam President.

THE CHAIR:

Senator Frantz.

SENATOR FRANTZ:

Through you.

The answer is to eliminate completely the corporate surtax, not the corporate tax, but the corporate surtax on corporate profits. And thank you for asking that question. It does not specifically address that any amendments but that is the legislative intent.

SENATOR WELCH: -

Okay. Thank you for that and, with that, I rise in support of this amendment, Madam President.

THE CHAIR:

Thank you, Senator Welch. Sorry.

Will you remark further? Will someone remark further?

Seeing none, Mr. Clerk, will you call the roll call vote. The machine will be open

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber.

THE CHAIR:

Have all members voted? If all members voted, the machine will be locked. Mr. Clerk, will you

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announce tally.

THE CLERK:

Madam President.

Total Number Voting 35

Those voting Yea 12

Those voting Nay 23

Those absent and not voting 1

THE CHAIR:

The amendment fails.

Will you remark further?

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

Madam President, I rise for the purpose of an amendment.

THE CHAIR:

Please proceed, ma'am.

SENATOR BOUCHER:

Miss -- Madam President, the clerk has Amendment Number 7208. Will the clerk please call the amendment.

THE CHAIR:

Mr. Clerk, will you please call Number 7208, when you find it.

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THE CLERK:

Madam President, the clerk is in possession of LCO Number 7208, which shall be designated Senate Schedule "G," copies of which have been distributed.

THE CHAIR:

Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

I move adoption and seek leave to summarize, and I also asked for roll call vote.

THE CHAIR:

Roll call vote will be called.

The question is on adoption.

Will you remark?

SENATOR BOUCHER:

Thank you.

Yes, in section -- subsection 4, we would strike it and add the exact same language that is there that actually delineates some of the various exemptions, those that would be exempted from this legislation, and it would add under A, "any restaurant" to this particular exemption. And the reason for that, Madam President, is that, in Connecticut, actually the economic recovery has not taken hold. Job creation is

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start the bottom. You know, we are one of only two states in the union since 1984 that has not had job growth. The other one is Michigan. We can all understand Michigan and the problems they've had in the automobile industry.

Everyone proclaims the cost of business is too high and now with new higher taxes on almost everybody, including the very businesses that are targeted in this bill, on top of the very high state income taxes that have no deductions compared to other state income taxes and a whopping 20 percent business -- business surcharge I was just mentioned by the previous speaker in his amendment that was to have gone away and has not, has is being extended for another two years, this is an absolutely bad time for this type of legislation. That has been well proclaimed by many of the articles you have been reading, The Hartford Courant's headline, "Not a Good Time to Add More Burden," particularly when many businesses are on the edge.

What was mentioned before, most small businesses do this voluntarily, and when you restrict businesses, they lose their flexibility and able to manage their business and keep themselves afloat. I believe that

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this bill particularly disadvantages and disproportionately affects our restaurants. And I'm not talking about high-end exclusive restaurants. I'm talking about our small restaurants, our diners, in particular, who take a lot of risk, put their family's assets at risk for this. There's a great many uncertainties involved. I'm thinking of one diner, in particular, in my district, who is run by a family, a Greek family, that was slated to actually go away a few years ago because the State widened the roadway through our town, you know, the infamous Route 7 corridor. And an agreement was made to widen the roadway in order to get the congestion and eliminate it and move it forward. So a diner that was supposed to have been the community, since 1921, was slated to literally shut down and go away. There was no other alternative.

Well, through a lot of hard work on a number of people and us, in the legislature, they were allowed to purchase some state land at market value which was quite a bit of money for them back 10 years ago -- we're talking about one small acre of \$437,000. And I can remember the family's joy at the fact they would be able to continue to serve the residents of the area

and all those that passed by our area.

So many use that corridor, all the way from the Long Island Sound, clear up in through Massachusetts and even through Vermont, as the Route 7 corridor goes. And what's interesting about this particular diner is that it really serves all levels of economic individuals, whether they're the construction workers working on the roadway, or are CEOs of different corporations. It's mainstream America that eats there, and they are feeling the pinch. And they are on the very lowest end of cost when you go out and have a meal, whether it's breakfast with your family on a Sunday after church or in the evening and seniors are there all the time having a very wonderful meal and homemade soup at a very nominal, nominal price. So their margins are very, very, very minimal and they're being hurt.

They happen to be the most popular diner around, but yet they've been hurt, and I asked them on a weekly basis "Have things gotten better?"

And they go, Not really, Toni, not really."

And I feel that those are the kinds of institutions we should be excluding from this because it actually places the jobs of those individuals that

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I've gotten to know over the number of years at risk. And if you were to ask them "What is more important to you is to getting a couple of days off for sick leave" -- which, by the way, they provide for them anyway -- "or keeping your job and the welfare of your family."

And there is no question as to their remark.

When I explained what we are doing here, they were just incredulous, and so I know that this story is repeated throughout our state and throughout all of your districts and for that reason I feel that they should be excluded from this provision.

And through you, Madam President, I hope that my colleagues would concur that this is a carve-out that should actually be made.

Thank you.

THE CHAIR:

Thank you.

Will you remark further? We remark further?

Seeing none, Mr. Clerk, will you please call for roll call vote, and I will open the machine.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all senators please return to the

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Chamber. An immediate roll call vote is been ordered,  
in the Chamber. Will all senators please return to  
the Chamber.

THE CHAIR:

Have all members voted? Have all members voted?  
If so, the machine will be locked.

Mr. Clerk, will you call the tally?

THE CLERK:

Madam President.

Total Number Voting	34
Those voting Yea	12
Those voting Nay	22
Those absent and not voting	2

THE CHAIR:

The amendment fails.

Will you remark further?

Senator Markley.

SENATOR MARKLEY:

Madam President, I believe the clerk is in  
possession of an amendment, LCO Number 7108.

THE CHAIR:

Mr. Clerk, will you call Amendment 7108 please.

THE CLERK:

Madam President, the Clerk is in possession of

LCO Number 7108, which shall be designated as Senate Amendment Schedule "H," copies of which have been distributed.

THE CHAIR:

Senator Markley.

SENATOR MARKLEY:

Thank you, Madam President.

I move adoption of the amendment ask leave to comment briefly on it.

THE CHAIR:

The question is on adoption.

Will you remark, sir?

SENATOR MARKLEY:

Thank you.

You know, in mandating this paid sick leave for employers, just as when we make mandates to towns, they ask us for relief for when we consider cutting reimbursements to towns, they say can't you give us a break.

The purpose of this amendment is to give some relief to businesses in Connecticut in the process of putting this additional responsibility on them and the particular burden is one that I find frequently commented on in the district, which is a business

entity tax. This amendment would require that the business entity tax be repealed as part of the imposition of the -- or the mandate of sick leave by employers.

I think that it would at least be a signal to businesses in Connecticut that we are not totally opposed to them, that we're on their side and that we hear their complaints and, in particular, in response to a tax which I think has been a great irritant to many small businesses throughout Connecticut.

So I would urge adoption of this as a gesture of goodwill towards businesses which we have today, I believe, sent a negative signal to.

Thank you.

THE CHAIR:

Will you remark further?

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I too, rise in favor of this amendment. I know the last time we talked about the subject, I mentioned how it -- this tax irked me and Senator Markley said, "I think it's the most irksome of taxes." And I will reiterate his verbiage. Because it truly is one of

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the most cumbersome taxes, as a business owner, you could even incur.

The business entity tax, Madam President, is a fee that we place on each and every business in the state of Connecticut just for the sake of being in business. So it's not like it is a user fee or something that we gain something from. This is just a mandated fee that facts every single business, like myself, pays year in and year out just for the sake of opening your doors. I mean, think about that for a minute. I mean, we get charged \$250 to be in business.

You know, we should be encouraging business. We should be encouraging people to open their doors, encouraging people to add to their payrolls, encouraging people to take a risk, take a chance, you know, and what we are doing with this is just flat out telling them, You want to open a business, we are going to charge you.

It really makes no sense. I thank Senator Markley for putting forth this amendment, and I hope everyone in the Circle supports it as well.

Thank you.

THE CHAIR:

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Senator Boucher.

SENATOR BOUCHER:

Thank you, Madam President.

I also rise to support the amendment. As with the previous amendment that talked about the corporate surcharge, this business entity tax has been around a long time and when I got up to speak regarding that I talked about all the temporary taxes that have been put in place in the previous administrations so as to solve a budgetary problem or a spending problem that the state has continued to have. And all of these particular temporary taxes were slated to go away: The state income tax, the inheritance tax, the real estate tax, the corporation surcharge, and this particular tax, as well. The business entity tax was a temporary tax and now it, of course, has become a permanent tax, as the good Senator Kane has mentioned just for the privilege of existing in the state of Connecticut. And, in fact, has nothing to do with whether you make a profit or not. You can have an LLC that is dormant and is not used for anything, and as the Hartford Courant opinion stated, "bills would worsen the state's climate for business.

As we talked about various things that we

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discussing here, it just adds to the overall sentiment that is a nonstarter for some considering that they should come here. So if we were to do this symbolically, eliminate this particular \$250 tax, which by the way both sides of the aisle have tried to do previously in the Finance Committee. There was a bill to reduce that proposed by the majority side, however, in that -- in trying to remove it because it was such a source of contention, they added another tax in order to pay for the elimination of the business entity tax and it didn't move forward. But this is a fine way for us to actually say if we are going to add a mandate on businesses, let's remove one of these nuisance taxes that, again, adds to the Connecticut's business unfriendly climate.

Thank you very much, Madam President.

THE CHAIR:

Thank you.

Will you remark?

Senator Frantz.

SENATOR FRANTZ:

Thank you, Madam President.

The really good news here, in Connecticut, is that the \$250 business entity tax is very quickly

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being overshadowed and minimized because we have  
347 -- I think we actually now 362 taxes on the books.  
362 taxes on the books. Many of those are in excess  
of \$250. Cumulatively throughout the years, certainly  
charges on electricity bills, charges on other  
utilities bills, on cell phone bills, telephone bills,  
et cetera, et cetera, are starting to make that \$250  
business entity fee look very small, but it still has  
to go.

Thank you. I stand in support of this amendment.

THE CHAIR:

Thank you, Senator Frantz.

Will you remark further?

Senator Looney.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, I urge opposition to the  
amendment and would ask for a roll call vote.

THE CHAIR:

A roll call vote will be ordered.

Will you remark? Will you remark?

If not, a roll -- Mr. Clerk, will you call a roll  
call vote and the machine will be open.

THE CLERK:

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An intermediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber. An immediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber.

THE CHAIR:

-- Have all members voted? If all members have voted, the machine will be locked. And, Mr. Clerk, will you call the tally?

THE CLERK:

Madam President.

Total Number Voting	35
Those voting Yea	13
Those voting Nay	22
Those absent and not voting	1

THE CHAIR:

The amendment has failed.

Will you remark further? Will you remark --

Senator Kane.

SENATOR KANE:

Thank you, Madam President.

I do not rise for the form of an amendment, but

--

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Excuse me for one second.

Could we have the Chamber a little quiet in the back there. Could we have a conversation outside the Chambers, please.

They told me to whack it.

I'm sorry.

SENATOR KANE:

Thank you, Madam President.

I -- just briefly on the underlying bill, obviously, we've had a lot of discussion this afternoon, back and forth, on both sides of the aisle, whether good or bad, but I honestly have to say that I do believe it is a bad bill and really not for the reason that Senator Prague and other advocates are pushing for it. Not at all, I can understand where they're coming from in the measure, but it is a bad bill because it sends the wrong message at the worst possible time to the business community.

People mentioned Forbes Magazine earlier. Forbes Magazine considers us the fifth highest in the nation as far as business cost are concerned. Moody's ranked us fourth, and another organization or another magazine ranked us third. So -- CNBC it actually was. On and on and on and further and further, you find

that we are ranked very poorly when it comes to business matters and our legislature is also ranked one of the worst, as far as business matters, yet we continue to promote this type of anti business legislation.

I really do believe that you're actually hurting the very people that we want to help, and I think it was a Democratic United States Senator Paul Tsongas that said, "You can't be for employees but against employers." And this bill is against employers.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Madam President.

Rising in conclusion on our side against the bill before us, you know, I think as Senator Kane so aptly said the intentions of this bill are good. And those who have advocated so hard for it and -- and in the debates on the policy and the implications of the policy about that bill. We can have those debates, but I think the point that has been missed is that at this time and in this moment in our economy is one of

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the worst economic recessions we've had, with unemployment at 9.9 percent.

Since January, Pfizer moved 1100 jobs to Cambridge, Massachusetts. Yardley Technologies move jobs from Connecticut to East Greenwich Rhode Island. A Waterbury company moved from Waterbury 45 minutes down the road to Armonk, New York. We continue to lose jobs but we're losing to our neighbors, and those jobs are leaving for various reasons, but the bottom line is the big picture is our business environment in Connecticut is not as good as those even in the states next to us, much less places where the labor laws are not nearly as good, like Mexico or China.

We are losing jobs. And the message this sends, on the one hand, those who advocate for this will proclaim with victory, we are the first state in the nation to pass this, but as you proclaim that victory loudly, and you should, you will be saying to the business community around the country, that we are doing something in Connecticut to businesses that no other state is doing.

You know, we had a debate not long ago about the budget, and one of the things that Republicans didn't like about the budget -- one of the things -- was the

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Internet sales tax not because we were against it. I actually think, in fairness, we should be able to tax a pair of shoes on the Internet, as much as we tax a pair of shoes at a store, but because of what the federal rules are. In fact the commissioner of the DRS initially agreed with us.

Well, just the other day, we learned that Internet ad sales companies have pulled their business from Connecticut. It came true. What we warned about came true. When you pass certain laws, there are consequences. And as much as I know you care about the service workers who don't get paid sick leave, who will now get them, I promise you, I promise you. There is a company or restaurant out there that has 50 or 51 or 52 or 53 employees, and I guarantee you within weeks of passage of this bill or prior to the effective date of this bill, they will have 49 employees because when they sit down and they work out the numbers, it will be better for their business to be at 49 than at 51 or 52. And what do we say to that 50th or 51st person who loses their jobs.

They are going to be people who don't work full-time, who will have their hours cut, so they don't reach the accrual period in this bill. What do

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we say to those people who now have less money? So you may look at it as we are now providing a benefit to someone who needs it and doesn't have it. And I look at it from the cost of that benefit to businesses and the consequences of those costs. Some people will lose hours; some people will lose their jobs.

Everyone who goes to a restaurant who has to live with this is going to have to pay more for your food, because they're going to try to pass this cost on to the consumers if they can't bear it themselves.

So the message we're sending here is a bad one, and I just hope -- I hope I'm wrong. We weren't wrong on the Internet sales tax. We haven't been wrong about companies leaving the state. If you -- if you -- if you have a call center in the State of Connecticut -- and call centers are one of the most mobile jobs anywhere -- in fact, too many of our companies have shipped call centers overseas because it is so cheap. But if you have a call center in the State of Connecticut and you're now subject to this mandate and you can move that call center to a state without the mandate, why wouldn't you do it? But then there might be 75 or 200 or 300 people who don't have a job in a call center anymore. And I suspect we are

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going to find out in the next three to 12 months there might be a company that moves our call center to -- out of the state of Connecticut because it is already more expensive to have that call center here than it is somewhere else. And that's going to be a direct consequence of this mandate.

-- So yes, yes, it will pass. It will be signed by the Governor. And, yes, there are going to be employees who are going to get paid sick leave that now don't have it. But they are going to be some negative consequences, as well, and I feel in this debate, there have been no acknowledgement of the cost and negative consequences that will also happen by the passage and for me those costs and those consequences outweigh the benefits.

Thank you, Madam President.

THE CHAIR:

Thank you, Senator.

Will you remark?

Senator Williams.

SENATOR WILLIAMS:

Thank you, Madam President.

I rise to support the bill here before us. And I first of all want to thank Senator Edith Prague for

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championing this issue, not only this year but in many other years as well, and all the employees who have stood up for the health concerns of workers across the State of Connecticut. It's really the well-being and the ongoing health of those employees that were talking about with this bill and really for all of the discussion, not-only this year but prior years, it is a modest bill. We're talking about a handful of sick days for employees of companies of 50 or more in certain sectors, as we know and Senator Prague has reported it and others have as well and I won't repeat it. There are many different sectors that have been exempted for very good and specific reasons. So were talking about a modest step forward to help employees and to help protect their health, but also to protect our health, the health of the people of the State of Connecticut.

About 80 percent so the folks that process, deliver, or in other ways, come into contact with our food, don't have any sick days. That's something to contemplate when we're talking about not only the employees but of all of our families, here in the state of Connecticut.

You know, folks have raised some good concerns

here in the circle. I'm reminded of other legislation a debate on another piece of legislation specifically that was also managed to protect certain employees. And as to that piece of legislation is, it was said that it was anti business. The president of the National Association of Manufacturing said stop the hysteria, said that it was anti-job.

An archbishop said government has no right to regulate in this area.

Another person said it was radical legislation.

Someone else said legislators ought to concentrate on the reducing the cost of government rather than imposing additional burdens on business.

What were they talking about? Child labor laws in 1935. That's what they were talking about. And it was a significant issue.

I mean, compared to what we're talking about today. The modest step forward to protect the health of employees, a handful of sick days to protect them and us. In the 1930s, 2.1 million children. I'm talking about children between the ages of 10 and 15 were employed. A number were employed in factories, especially here in New England and in Connecticut.

As a matter of fact, in mills, in the first half

of the last century leading up until this legislation that passed in 1938, about 17 percent nationally of folks who works in mills were children between the ages of 10 and 15. Was it anti business? Was it hysterical? Was it anti job? Was it radical the legislation? Was it something that legislators should not have concerned themselves with? Should have been ruled out of the arena for legislation and intervention by legislators? Who today would say it was not appropriate to protect those children?

The same could be said for the 40-hour workweek. The same could be said for the eight-hour workday. The same could be said for environmental and health and safety regulations that keep our employees, our brothers, our sisters, our mothers, and fathers safe when they go to work. And in each case, when those laws were originally proposed and debated, the arguments were the same: anti business, anti job, you're going to destroy the economy.

Speaking of the economy, we passed the Child Labor Laws in the midst of the Great Depression. That's when we passed them. So, yes, times were tough, but it was also the right time to protect children.

So, Madam President, this is a modest bill in the great tradition of laws that have been passed to help the people of the state and this country, to protect them and to protect all of us. These are the laws that we take for granted. In many ways, they define what we think of when we think of a civilized society. One where families are able to, yes, go to work but they are not required to work 12 hours a day, six or seven days a week side-by-side with their 10- or 11-year-olds.

So for that reason, Madam President, and many others I support this. Again, I think Senator Edith Prague. She is tireless and she is courageous.

Thank you, Madam President.

THE CHAIR:

Thank you.

Will you remark further? Will you remark further?

If not, Mr. Clerk, will you open the machine -- call a roll call vote, and I'll open the machine.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all senators please return to the Chamber. An immediate roll call has been ordered in

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the Senate. Will all senators please return to the Chamber.

THE CHAIR:

Mr. Clerk, will you announce the roll call vote, again, please?

THE CLERK:

The Senate is voting by roll call. Will all senators please return to the Chamber. The Senate is voting by roll call. Will all senators please return the Chamber.

THE CHAIR:

Have all members voted? Have all members voted? If so, the machine will be locked.

And, Mr. Clerk, will you please call the tally?

THE CLERK:

Total Number of voting	35
Those voting Yea	18
Those voting Nay	17
Those absent and not voting	1

THE CHAIR:

Please, keep it down. Please in the - please up there, please keep it down. Thank you.

The bill has passed.

Senator Looney.

**JOINT  
STANDING  
COMMITTEE  
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**LABOR AND  
PUBLIC EMPLOYEES  
PART 3  
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SENATOR PRAGUE: Three minutes.

REP. ZALASKI: Right. We're going to start with the public officials, then we're going to go to the public but with that we're going to start with the number three bill first which is 6428 whoever was in line for that. We're going to go down the list. Then whosoever in line for 8 -- 987, we're going to go down the list and do them next. Then we're going to go into the sick day bill just because there's so many more people here for the sick day bill than there is any other bill.

So -- and we going to strict -- we're going to stick firmly, except for the public, I mean, the officials, the legislators -- we're going to stick to the three minutes exclusively because Edith has to be home after midnight. So -- so let's start with Glen Marshall, the commissioner.

Welcome, first shot up with us.

COMMISSIONER MARSHALL: Thank you for the opportunity to testify before you today in support of paid sick leave.

SB913

My name is Glenn Marshall, and I am the commissioner of the Department of Labor.

I am proud to be here today testifying in support of paid sick leave because I strongly believe that every full-time working person should have access to this benefit. As the former president of the Carpenters Union and now as labor commissioner, I am proud to have worked well with both organized labor and Connecticut businesses. As I have experienced firsthand it is possible for the labor and business communities to come together on behalf of the people of the State of Connecticut.

There is no doubt that in these tough economic times we need to have a responsible approach to decision making and an ability to work with broad based coalitions. It is my duty as the Department of Labor commissioner to find new and unique ways to ensure our state's labor force is protected while our state's business community thrives.

In addition, paid sick leave affects those employers that have proven to be able to absorb a short-term absence of an employee under the federal and state FMLA. Employers with 50 or more employees are already subject to the federal Family and Medical Leave Act which provides a significantly greater leave entitlement, unpaid, 12 weeks over a 12-month period. Similarly, the Connecticut FMLA affects those employers with 75 or more employees and provides eligible employees up to 16 weeks of leave over a two-year period. This is a concept that will help the working men and women and employers of this state by promoting a safe and healthy workplace.

Thank you for opportunity to -- for me to come before you tod -- today. I will be happy to answer any questions. Excuse me this is my first day on the job, and I haven't worked long enough to get any time off. I'll be happy to answer any questions.

SENATOR PRAGUE: First of all, we want to congratulate you --

COMMISSIONER MARSHALL: Well, thank you.

SENATOR PRAGUE: -- on your new position as the commissioner of the Department of Labor. We're looking forward to working with you and to see between you and Commissioner Murphy to have some great leadership in that department.



of figuring out who was going to have to pay it if the employers didn't pay into a general fund, such as they did on your pension plan.

COMMISSIONER MARSHALL: That's correct.

REP. AMAN: Is that a correct assumption on my part?

COMMISSIONER MARSHALL: Yes, yes.

REP. AMAN: Yeah -- I will be bringing that problem up in the future as we're going on. Unfortunately, I think that a lot of the legislation is written with the idea that you work for one person or maybe two people at a straight hourly rate for a long period of time and, as you know and I know, that's not necessarily true for all the workers so I will be addressing that in the future.

But, again, I congratulate you on your appointment and when you're done with the two of them, stop by my office.

COMMISSIONER MARSHALL: Thank -- thank you, Representative Aman. I appreciate it.

SENATOR PRAGUE: Questions from committee members?

No, we're going to let you off easy today.

COMMISSIONER MARSHALL: Thank you for your time. I appreciate it.

REP. ZALASKI: Thank you.

SENATOR PRAGUE: Thank you.

Next speaker Keith Epstein, acting chancellor or -- oh, you're here to speak for our acting chancellor now that David Carter has retired. Those are big shoes to fill.

hearing today is because we all want to learn more about them, and I would hope that you, you know, you probably know as much as I do about it. So, you know, if you would stick around and listen or watch us on TV, it might be helpful to you and, you know, we're sorry we had to drill you but you were Number 2. Thank you.

KEITH EPSTEIN: Sure.

SENATOR PRAGUE: Seeing no more --

REP. LEMAR: Thank you very much.

Honorable members of the committee, Chairman Zalaski, Chairman Prague, many of you don't know me yet. I'm a new representative representing the 96th District in Hamden and New Haven, my second time testifying before a committee in my official role. I think I'll do better than the first, hopefully.

Thank you all first and foremost for allowing me to testify today on behalf of Senate Bill 913, AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES. I want to thank you all, current members of this committee, past members of this committee, for your leadership on this issue for your tireless effort to benefit Connecticut residents and ensure that our residents have adequate protections and ability to take paid sick leave. Hopefully, this year we can cross the line -- finish line with this.

I just want to add my two cents, my experiences and my thoughts for the record. You have a copy of my official testimony in your packets. I won't recite that in its entirety, but I do want to say my three months' campaigning for State Representative this past summer, an eye-opening experience in which I knocked on the door of,

literally, thousands of people and heard from our constituents, our neighbors, our residents about the challenges they face in their communities, in their workplace, in their schools. And I heard over and over again about access to healthcare, about their employers degrading their current benefit structures, about the countless members of our communities who no longer have access to paid sick days. And I heard over and over again from even small business owners about how they, regrettably, can no longer provide sick days for themselves or any of their employees.

And I thought there's got to be a better way to do this. And as we structure our current workforce agreements, as we try to protect the very people that we're up here to represent, I feel that this act that you guys have been working on for a number of years now appropriately places that responsibility back on the heels of our employers; that we do make the requisite steps; that we do take those steps to protect our employees.

And, again, everyone gets sick. We all know that. Not everyone is able to take time off. As you all know, doing this for a number of years, close to 600,000 Connecticut residents do not have paid sick days, some of the largest groups of these workers, food service, retail, healthcare, the very people who we least want coming to work sick. These are the people who, when they get sick, come and easily infect so many of us all.

Now families depend on their jobs to survive, and our communities depend on those families in order to thrive. But when our workers don't have access to paid sick days, staying home to recover from an illness or to take care of a sick child means losing their paycheck, possibly losing

their job. A stable and strong economy depends on economically secure, healthy and productive workforces. All of which cannot be achieved while so many of our workers have no paid sick leave available to them. This must change.

I commend your efforts to help make that change. Too many hard working residents of New Haven and Hamden, my community, do not have paid sick days and losing their wages or job is as easy as catching a cold or having to take a child to the doctor. It's not right for our communities. It's not right for our local economy. It's not healthy and it's not right.

About an hour ago, I received a call from a constituent -- a business owner in my community who was prepared with talking points provided to him earlier in the day stating that this would destroy business across the country, would destroy businesses from thinking of Connecticut. And I hold that to be false. We have new research available to us from San Francisco saying that community -- a community who enacted this legislation in their community saw no negative impact on their local business clients. They saw actually improved conditions for their workers. In fact, their local business climate was in a much better state -- rate of stability than all of its surrounding communities.

We have an opportunity to create a strong, meaningful level of legislation here that protects our workers. And I ask that you consider doing that for every one of our workers. I know the reasons why we're currently looking at covering employers who employ 50 people. I would urge, if possible, to take this down even further. We should be doing even more to protect more of our workers, trying to cover as many as we possibly can. I'd love to see us include down

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to 20 workers, you know, this full protection and under 20 maybe access to two or three days per year. I think these are strong protections that we can incorporate into this bill and, if not, I will be before you again probably two years from now thinking of ways that we can amend the current protections.

Again, thank you all for your leadership on this. And, again, as a representative of the families and businesses that make up the wonderful communities of Hamden and New Haven, I'm asking you, again, to maintain the leadership that you have shown on this issue, to make a strong recommendation to the General Assembly and the entire State of Connecticut that we will support our families; that we will support our local economy; and that we will support paid sick days for all of our residents.

Thank you véry much.

SENATOR PRAGUE: Representative Lemar, welcome to the legislature.

REP. LEMAR: Thank you.

SENATOR PRAGUE: I see lots of marvelous potential.

REP. LEMAR: Thank you, Senator.

SENATOR PRAGUE: Don't -- don't go away. Maybe there is some questions from committee members?

Seeing none, thank you very much for your testimony.

REP. LEMAR: Thank you.

SENATOR PRAGUE: Come again.

Representative Lavelle.

REP. LAVIELLE: Good afternoon, Senator Prague. I -- I don't know that you'll see the same potential in me, but I would be sorry if you didn't.

Good afternoon, Senator Prague, Representative Zalaski -- good to see you -- Senator Guglielmo, Representative Rigby, and distinguished members of the committee. I am here to testify in opposition to Senate Bill 913, and I do oppose it, although I agree that the proponents of the bill have none but the best intentions.

And I am going to testify on two grounds. One is related to my assessment of the affects on business for which I am going to put on my hat as a former head of a business. The other is related to perceptions within the larger business community and, for that, I'll put my legislator hat back on so if you can visualize me wearing two hats I think that will help.

For five years, I was the chief executive of a firm that belonged to one of the large international media companies. I had 20 to 25 people, I did not have 50. But based on that experience, I certainly can tell you that running a business is hard work. And I can also tell you that no small or medium-sized business worth its salt can succeed unless those who run it value their employees and treat them with all due respect and consideration.

These businesses are dependent on their employees to function properly. And this is true in good times; it's even more true in bad times. And I know it seems counterintuitive, but it is even more difficult in a bad economy to replace a good employee. So if you are not treating your employees well and you begin to lose them, you

are in really bad shape. And I've seen counterparts in business do that. And I know that feeling of terror when you're in a bad economy and you don't know what's going to happen to your business and you hope that nobody's going to find a better job somewhere else. It's -- it's an awful feeling, and it wakes you up at night. And you're responsible for these people living their livelihoods.

So it's true that not all business owners or managers are decent human beings, they're not. I mean, you can't find any group of people where they're all decent human beings. But the great majority do have the sense to worry about losing their employees or upsetting them. And so not necessarily because they're wonderful people and they want to but because they must they will very often go to great lengths to accommodate requests for time off related to illness, family matters, accidents, violent acts, anything that can be upsetting for an employee and, frequently, give them much more time off than the kind we might want to legislate.

That said, and that's from my experience, I'll tell you that my -- my constituents have -- many of them have told me that if business owners in Connecticut are faced with the new mandate imposed by this bill, they will have to deal with a lot of extra administration and while they might even, otherwise, give employees with legitimate reasons even more time off than the bill requires under the new rules, there are employees -- and, again, most employees are wonderful people, but there are some who might take the time off because it's available to them then you have reduced productivity and you have higher costs. There are good cases and bad cases. Nothing is absolute but that's -- that's the truth. And because of the inconvenience and

potential costs employers may hesitate to grow their businesses beyond -- beyond 49 employees.

I'd also just like to note that I believe the bill, if I've read it correctly, does protect employees but doesn't protect employers so that's something else to think of.

But I'll go to the second reason for my opposition to the bill. And that's that I believe it sends a truly negative signal to the business community both within and outside of Connecticut. I think that all of us in the General Assembly agree with Governor Malloy who -- and agree strongly -- who in his budget proposal calls job creation the single biggest issue facing Connecticut. I think we all want to attract businesses to the state. We want those that are here to stay here, and we want them all to grow and create jobs.

At the very moment when attracting businesses and encouraging them to invest in Connecticut is our highest priority, this bill suggests the opposite. The timing could not be, I think, more unfortunate. And so discussing it now even makes our state government appear somewhat lacking in the understanding of business requirements and, perhaps, not altogether sincere in its support of business and job creation.

So I respectfully urge the members of the consitee to -- of the committee to consider not pursuing passage of this legislation.

Thank you very much for your attention.

SENATOR PRAGUE: Thank you very much for your testimony.

Any questions from committee members?

No. Thank you.

REP. LAVIELLE: Thank you, Senator Prague.

Thank you, members of the committee.

SENATOR PRAGUE: Mary Mushinsky, are you here? Oh,  
there you are, Mary.

REP. MUSHINSKY: Thank you, Senator Prague.  
Representative Zalaski, members of the committee.

SB 913

I'm Representative Mary Mushinsky from  
Wallingford speaking in support of paid sick  
leave to employees.

I believe this is a progressive measure that is  
overdue. In today's society, both parents are  
typically employed and ju -- and juggle their  
time between work and caring for children, aging  
parents or both at the same time. Many  
Connecticut families, in fact, are headed by a  
single parent which is a less than ideal  
situation that increases the stress on the single  
parent.

While many companies understand this dilemma and  
do provide time off -- and we just heard from  
previous witness that her company does so -- time  
off to care for a sick family member or the  
parent, herself or himself. Others are more  
rigid and will not allow time off. The parent  
must then choose to risk being fired or lose pay  
in order to care for the family member or to  
recover from their own illness or operation.

Based on informal discussions with constituents,  
also door knocking, this difficult choice appears  
to be more common among workers with service  
jobs, for example, people that work in donut

shops that type of thing.

I noticed that the bill does exempt part-time teachers of the state higher education system. I would respectfully suggest that as they face the same stresses of balancing work and the occasional need to nurse a sick child, spouse or aging parent, I hope the committee would remove the exemption and allow the occasional paid sick day without fear of retribution even for a state worker.

Thank you for raising the bill.

SENATOR PRAGUE: Thank you, Mary, for your testimony.

Any questions -- from committee members?

Seeing none --

REP. ZALASKI: Yes, could I just ask --

Mary, Representative Mushinsky -- I'm sorry -- the -- we've had paras in here telling us that they had sick days. Are you saying that teachers that work part-time don't have --

REP. MUSHINSKY: Well, your -- your bill appears to exempt part-time instructors at the UConn and the state University System. It appears to -- if I'm reading it correctly, and I'm just saying that they suffer the same dual stresses as all the other parents, and they may also need an occasional paid sick day. But, you know, most people won't abuse it. They'll use it for real important purposes. But -- but I think in all fairness, we should not be exempting ourselves from this law. We should cover state instructors, as well as private businesses. I hope the committee will not create two camps.

REP. ZALASKI: Thank you.

SENATOR PRAGUE: Thank you, Mary.

REP. MUSHINSKY: Thank you.

SENATOR PRAGUE: That's the end of our legislators testifying. We'll go on to the next sheet. Our next speaker --

REP. ZALASKI: We're going to be moving to, as I said, Bill 6 -- 6428 now and have those speakers that are here for that bill to speak as soon as I find one. I don't think there's a lot, hard to believe.

Oh, Karen Schuessler.

KAREN SCHUESSLER: Good afternoon. My name is Karen Schuessler, and I'm the director of Citizens for Economic Opportunity.

HB6428

(Inaudible) -- the business organization receives such financial assistance. The full amount of that financial assistance should be repaid to the providing agency, including the Department of Economic and Community Development, Connecticut Development Authority and Connecticut Innovations.

And, you know, Conne -- Connecticut, of course, does have some clawbacks but, however, the exact provision in terms of the contract varies for each company. There needs to be more transparency because clawbacks are handled on a case-by-case basis, and there was a projected \$3.56 million revenues -- revenue loss in FY 2009 from corporate business tax credits. And with the huge budget deficit, Connecticut cannot afford to lose those precious revenue. This is why this legislation is so important.

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I'm a very small contractor, but I do sign on to that philosophy as well. And I am very proud of the fact that, you know, I have longevity with my employees. And the basis of this country is choices and the democratic process of the open competition and things like that and so I agree -- I agree with that completely.

REP. ZALASKI: Well, thank you.

MELISSA SHEFFY: Thank you very much.

REP. ZALASKI: Okay.

Senator.

We're going to switch over back to -- we didn't really even realize when we talked about doing all the bills in order, there's just too many people for 987. So we're going to -- we're going to switch back to sick days for a while. And then we're -- and take them in order after the Senator speaks.

Thank you.

SENATOR BOUCHER: Thank you so much, Mr. Chairman, other chairmans of the committee, ranking members, distinguished members of the Labor Committee.

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You have an enormous responsibility, not only for the labor segment of our population, but for the job market for Connecticut, particularly in these last few years. As you've just stated, your concern is keeping jobs in Connecticut. My concern is the same, is keeping jobs in Connecticut and growing jobs here during one of the most difficult economic periods, I think, the State has ever experienced.

Right now, there is a great deal of concern, a lot of businesses are struggling. I know you've heard from them. When those businesses struggle that means their employees struggle; they're at risk at all times. And this particular bill, Senate Bill 913, mandatory paid time off for sick leave, would make Connecticut the first state in the nation to mandate this.

And I believe it would start making Connecticut even less business friendly and less competitive. We've all heard the national headlines of Connecticut being 48 out of 50 -- 47 out of 50, as a business friendly place, that we are perceived as business unfriendly. Our businesses are struggling to stay here.

There are many proposals on the table not in this committee but to also look at various new increases in taxes that would affect them both personally and in their businesses and in their sales.

I really believe that individual businesses should have the flexibility to develop these benefits based on what they can afford, based on what works best for their employees and what the competitive marketplace is demanding at that time.

And as a person who has had a few small businesses of their own and worked, as well, in the private sector when not here in the legislature, I can tell you that almost all businesses are very sympathetic to anyone that has a particular problem at home and very rarely docks their pay when they need to take that time off, but it's based on what they can do given the business that they're in.

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I'm also concerned if this bill -- and I'm not certain -- would also affect the nonprofit sector as well, would also cause them a great deal of concern as far as being able to be sustainable.

That just simply said, I'm hoping that you will consider the concerns and where this would put Connecticut on the national scale because our competition is just not outside of our borders but our neighboring states and, oftentimes, internationally, as well, to be competitive. And sometimes those razor thin margins can be impacted by something like this.

Thank you so much for your kind attention and also for the opportunity to be here with you today. You're very kind to let me come and speak at this time.

Thank you.

REP. ZALASKI: Are there any discussion -- questions?

Thank you, Senator, appreciate it.

SENATOR BOUCHER: Thank you very much.

REP. ZALASKI: Okay. We're going to start from the beginning of the list, Cheryl Folston for 913, pro.

Sorry we kept you. We'll be here later than you, though.

CHERYL FOLSTON: Good evening. (Inaudible.)

My name is Cheryl Folston, and I live in Newington, Connecticut, and I thank you for giving me a chance to share my story today.

I'm here today because working a job without paid

sick days nearly cost me my life. I was working as a driver for a livery service. I drove special needs students to school, and I drove patients to an eye surgery clinic. The pay wasn't great, and there was no health insurance, but it was a job. I worked for five years, but I never got a paid sick day. That meant sick or not, we went to work.

If I had a cold or flu or whatever, I'd be driving sick patients to the hospital and driving special need kids to school. I couldn't afford to stay home. I hadn't been to a doctor in years, but I never had the chance to take a day off or even a few hours off to see a doctor -- and I'm going to deviate from the script.

I had been feeling that maybe my heart was leaking fluid or something but I couldn't afford to take the time off. And in July, I lost my job so finding myself with time on my hand, I finally did go see a doctor. And what I found was that I had a tumor in my heart, which could have killed me on the spot.

So I guess it was kind of a blessing that I lost a job, but I think most of the people that I work with, we all had the same problem. And it doesn't make sense that you can't even afford to go see a doctor. You know, people have pets who get better healthcare.

And I think these employers are always saying, oh, we can't afford this, we can't afford that but this company makes quite a bit of money as I'm sure many of them do. They can afford to give us a lot more than what they're doing because we're the ones who make the money for them.

And I think that they -- if someone doesn't force

them to do it, they're not going to do it. They need to give us paid sick time. Everybody should be able to take off of work when necessary when they're sick if not for their own benefit for the public because we work with the public. And when you're sick and you're out there working with the public, you're going to make other people sick.

That's pretty much all I have to say.

REP. ZALASKI: Thank you. We really appreciate you coming up here, and you're right under the bell.

Is there any --

Yes, Representative Miner.

REP. MINER: Thank you Mr. Chairman.

Good evening and thank you for waiting around to testify.

When you agreed to go to work for this transportation company, was that after having another position somewhere else?

CHERYL FOLSTON: Yeah, I was driving somewhere else.

REP. MINER: And did that employer provide you benefits with sick leave?

CHERYL FOLSTON: No, most of these jobs don't. No -- no healthcare, no health benefits, no paid sick time.

REP. MINER: And so, as an employee, have you ever worked for an employer that provided any of those benefits?

CHERYL FOLSTON: Years ago, when I worked for the Aetna, many years ago.

REP. MINER: And they extended you benefits?

CHERYL FOLSTON: Pardon me?

REP. MINER: And at that time, they extended you benefits?

CHERYL FOLSTON: Very well, yes.

REP. MINER: And when you had those benefits -- if I could, Mr. Chairman -- and if you were sick beyond the limit of those benefits, what occurred?

CHERYL FOLSTON: You mean now on this job, or at the Aetna?

REP. MINER: When you were employed, I guess, by the Aetna and you had a certain number of sick days, if you were sick beyond the limits of your benefits, what occurred?

CHERYL FOLSTON: I really don't know because I was much younger so I really couldn't tell you. It's been many years but jobs that I've incurred for the last, I don't know how long, none of them provide paid sick time. None of them provide healthcare.

REP. MINER: And I get that. What I'm -- what I'm trying to I guess balance here is when we -- when we establish a number, we kind of establish some parameters. And so if I'm entitled to six sick days and I get sick for seven days or eight days or nine days, at what point does it become the employee's responsibility to bear that burden in your mind?

CHERYL FOLSTON: So you're saying if you get five paid sick days but you're sick for ten, you're going

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to lose some money right?

REP. MINER: No, that's my -- I'm not saying anything.  
I'm asking a question.

The purpose of this bill is to provide some level  
of coverage for employers that may not have  
that -- employees that may not have that benefit.

CHERYL FOLSTON: Okay.

REP. MINER: And that anticipates that you would give  
someone a cushion. When you ex -- when you go  
beyond that cushion, as an employee -- and this  
was a bill that we passed -- what would occur on  
the next three or four days that you might be  
sick? Would you go into work sick, or would you  
take the day off without pay?

CHERYL FOLSTON: We'd probably go to work sick. We've  
been going to work sick all along.

REP. MINER: Okay. Thank you that helps me try to  
figure this out.

Thank you.

REP. ZALASKI: Senator Gomes.

SENATOR GOMES: You are still recovering?

CHERYL FOLSTON: I had surgery just December 23rd.

SENATOR GOMES: And you don't work now?

CHERYL FOLSTON: No, I don't have a job now.

SENATOR GOMES: You're saying that you -- that you  
hope to get a job if you go back to work if they  
had sick days?

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go after every job at the universities, but it still is a major piece of our business. And my feeling is that if a bill like this gets passed this is only the first step. And that's what really scares me is what's next. I am more -- I do not have any oppositions about going up against anybody who is either unionized or nonunionized. We work together with them and have no problems working with them. I just think that the bidding market should be fair to everybody that is eligible and is qualified to do the job.

REP. RIGBY: Thank you very much.

WARREN HORTON: Thank you.

REP. ZALASKI: No other questions.

Thank you again for coming up today.

WARREN HORTON: Thank you very much for your time.

REP. ZALASKI: Kathy Demming. I think she works with you. Oh, she is. Okay. Thanks for coming up, though, keeping him company. We appreciate it.

Okay. Kia.

KIA MURRELL: Good evening, everyone. As I'm sure you've guessed I'm here to testify on Senate Bill 913. I think I've come before you every year for the last four years on this bill. Simply put, we strongly oppose this bill, yet again.

We think that during one of the toughest economy since the great recession, this is perhaps the single worst time in recent history to introduce something that would be so costly and so detrimental to our local economy.

I'll just very briefly highlight some of the primary reasons why we oppose the measure this year. First, we believe that creating jobs, job growth, should be the number one priority of the legislature. Many of you ran -- as far as your reelection and election campaigns on a pro-job, pro-growth agenda. We submit to you that introducing a bill that will increase the cost of doing business in this state and ultimately increase the cost of hiring in this state flies in the face of that.

Improving costly -- I'm sorry -- imposing costly new mandates also makes it difficult for businesses themselves to survive and thrive here. We, like many of the advocates of this bill, are in favor of healthy and productive employee, but we also recognize that we need healthy businesses. Those that are able to hire, those that are able to invest and make capital improvements and promote economic growth in our state; that is what is going to speed our economic recovery; that is what is going to get us to the proverbial light at the end of the tunnel.

Bills, such as the paid sick leave mandate, particularly when we are the only state in the nation to consider something like this at this time, I think they speak volumes about where we are. They speak volumes about what we believe, how we think our economy can do, the confidence we have in our businesses, and in our lawmakers to promote healthy businesses. We don't want to see anything that increase labor costs, even in a good time. But in a bad time, I think it's imperative that we recognize that anti business legislation, regulations and any public policy can have a ripple effect beyond our control.

This is the type of legislation that year after year after year being introduced, regardless of whether it ultimately becomes law or not, sends a message to every business, both those that are here and those that may seek to come here that this is not a business friendly state. And listening to many of the advocates talk the San Francisco study -- you heard from EPI. I appreciate the -- the humor that you found in that we asked him to come. Never mind the fact that every single year this room is filled -- as it is tonight -- with people that are asked to come by those that want to promote this legislation. Some of the studies that have been highlighted repeatedly, and you've heard about the statistical data and the reasons why these studies may not, in fact, be what they purport to be, but it's -- it's very ironic to me that we can go all the way to San Francisco for an example of that economic impact, but we seem to ignore what happened just last summer in New York City. Not one advocate has come before you and even acknowledged that the City of New York purposed to impose its own paid sick leave mandate as a city ordinance, and it backed off when they had almost unanimous support on the city council. The reason why they did back off is because they understood that the price tag of \$789 million to the local economy was far too high -- was too much to bear.

Many Connecticut residents go in and out of New York, that's where they earn a living. If our neighbor in New York next door found it too costly, too expensive to impose on their businesses, how can we be up the road and act as if this same cost doesn't impact us here?

I submit to you today and you'll see in my five pages of testimony that there are a tremendous number of reasons why not to do this, but I think

the very plain one in front of all of us is that if no else is doing it, what's the reason why? You're very, very smart people but no one has a monopoly on intelligence. This is in a public policy interest, then DC would be taking it up.

Thank you and good night. I'm just tired -- so sorry, I'm -- haven't had anything to eat and, you know, you guys, it's been a long day. So I'd be happy to answer any questions, but, as usual, you can see all the details of the -- the individual issues that I raised tonight.

REP. ZALASKI: I have a quick question before anybody else and that is I actually never heard of that what happened in New York City to be honest. I don't read the Daily News or anything from New York. So was that for 50 employ -- was that for everybody or for 50 employees --

KIA MURRELL: I don't remember what their threshold number was, but it was a paid sick leave mandate of the same nature here. I don't remember if was one for every 40 hours, one for every 30 hours, but almost identical to what we've had year after year.

After debating the issue in the public arena, they basically decided, all right, let's find out how much this thing would cost. They already had the vote from the city council, the speaker was ready to call the bill and then realized after a study came out commissioned by a group of business associations in the city -- I think it was a combination of a variety of different chambers that all came together -- \$789 million. The study was done by Ernst & Young. From a statistical standpoint, you can't -- you can't fault them for wanting to get the numbers out there, but also you can't, I don't think, fault the mechanism underneath the study.

Ernst & Young is clearly aboveboard as far as their study pools, their study resources, all of the things that go into making a study as credible as it possibly can be under the circumstances. But the fact that that study has not been getting the amount of play in this building -- that something in as San Francisco, thousands of miles away, much, much smaller area and demographically different -- and as you heard earlier today, a city where a lot of people already gave the benefit, they couldn't be further away from us. You talk about apples and oranges. That's not the example that we should be raising in this building as a reason why we should be considering a particular piece of public policy, not when we have a much clearer example just 60 -- 70 miles down the road.

REP. ZALASKI: Thank you, Kia.

The other -- one other comment I would like to make is I just thought maybe if you could find somebody in Connecticut to come and testify for you and not somebody so far away. We're trying to create Connecticut jobs.

KIA MURRELL: We tried but, you know, they heard about you before we could lock them in.

REP. ZALASKI: All right. Are there any other questions? No.

Hearing none, thank you very much.

KIM MURRELL: Thank you.

REP. ZALASKI: Go have dinner and watch the rest of this on TV.

There's two other gentlemen. I'd like it if you

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could come up together, John Patton and Dennis Shay.

Would you guys mind coming up together and -- because I see you don't have any written testimony so if you could just give us your -- we'd appreciate it --

A VOICE: No problem.

REP. ZALASKI: And I appreciate you staying. Thank you.

JOHN PATTON: Oh, it's been entertaining. Thank you.

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My name is John Patton. I'm from Willington, Connecticut. I'm part of a 65-year-old family owned business, a group of companies in Eastern Connecticut. We employ about 40 people. And I realize that this bill, with full disclosure, I read the bill. I understand the bill. I was not asked either by CBIA nor SEIU to come up here. And that -- but we are a member of CBIA.

Our interests range from manufacturing of crushed stone, ready mixed concrete to the design wholesaling fabrication manufacturing of crushing equipment which we sell locally and globally. I've been a first selectman so I understand they're also known as a recovering politician. I understand the pressures of -- to fix things. And I thought that we had, kind of -- I thought my family ran a pretty good business until I listened to all the testimony and apparently we don't. Because we try to think of it we treat our -- our employees as adults. We do not give them paid sick time. But we also tell them we don't do that -- we pay them a good wage and we say, if you're sick call us. And, you know, but you won't come in, and if you don't work, you don't get paid. It's a simple understanding.

If you guys desire, I guess we could take, like, an hour a week from their -- from their pay and put it in a bank somewhere for them so if they are sick, I can give it to them when they're sick for those days. We just always treated our employees as adults and said, here's what we pay you, here's -- and here's -- if you come in, we're going to pay you a good wage and if you're not, you're going have -- you're not going to get paid that day. It's up to you to save for your -- for your life contingencies, not me. I don't want to be your mother, and I don't want to be your father. I'm just your employer. It's pretty simple. They understand it, and we're all pretty good about it.

One of the things I looked at on a, kind of, level was that right now this is planned to start on January 1, 2012. And what's going to happen on December of 2013 is that some employees are going to have eight paid sick days left. At that point they're going to say, I better be sick because I'm going to lose my sick days because I can't accrue any more. It's going to be lose or -- use it or lose it. So what's going to happen is they're going have to make a decision whether to cheat themselves out of something that you say they deserve or cheat me out of pay -- or cheat me out of -- cheat me out of work because they're going to call in sick even though they're not sick, because they have a benefit that they think they deserve and what you say they've given them.

It's a -- I see it clear as day. This -- and it's going to be when -- when these things start -- when these employees look and say, hello, I'm going to use it or lose it, I'm going to use it.

And what's going to happen is they're going to call in sick and then it's probably going to be

on a Friday and then on Sunday night, they're going to post it on their Facebook what a great ski weekend I had, and I'm going to know this. And so my question is what do I do at that point? They've now cheated me, either they're not sick but they've taken that day off. And -- and my big issue is now if I fire them for that, now you're going to have to go to the labor board, which is really where my expense comes in because they're going to investigate me and I -- it's amazing when employees leave, how I get government agencies to come to my -- to come the offices. I don't know if it's a surely coincidence but they manage to do that. So I'm going to be -- my cost is going to be in my attorney or my time to try and defend my actions if somebody does something that's -- is a terminable offense.

REP. ZALASKI: Thank you.

And the other gentleman.

DENNIS SHAY: My name is Dennis Shay. I'm a SB 913 electrical contractor from Tolland. I've been in business for about 30 years. I have never offered paid sick days. I'm small so I don't really fall under this bill but I don't think it's up to legislature to pass another unfriendly mandate onto businesses in the state of Connecticut.

If we choose to give our people paid sick days, so be it. I've heard a lot of horror stories, and I feel sorry for them, but you do have to pay if for yourself and we all have to be adults in this room. That was the original reason that I came here, but the PLA really -- really sticks in my core. I didn't realize that was coming up.

You know, go back to the (inaudible). I'm going

through my notes here. You know, I don't know who determines whose sick and who's not sick. Do we have to get -- do we have to get notes from doctors? Do we have to take their word for it? How are we going to administer this? Do we -- who determines how long it is? And it's not just something you say, okay, you've worked 27 hours and now you've got a paid hour or whatever it is. It's -- it's an administrative nightmare. It -- it adds more cost in our offices. A small business, like us, we've got one person in the office and my wife is pretty taxed taking care of all the stuff that she has to do.

How is the Labor Department going to handle this? This is another task that you're going to put into the Labor Department that they're going to have to investigate every claim every times somebody decides that they were shorted one hour of sick time and, believe me, it's going to happen. You're going to go to the Labor Department, the Labor Department is going to come to us, and six months later or eight months later, they'll be an outcome. It's -- it's just something that is more -- more of -- I don't know. It's not -- it doesn't affect me, but it gets me because why are we getting stuck with unfunded mandates. You don't like unfunded mandates coming down from the federal government. Why are you passing it onto us as a business mandate? I just don't understand, same thing with the PLAs.

Now I do work with the state of Connecticut also. I -- I'm DAS certified and that's not a process that takes five minutes and just go down and get a DAS certificate. As one of the other electrical contractors says it's quite involved. And -- I don't see why I should be locked out of bidding at the University of Connecticut because I don't hire people out of the hall. My ten guys

are all from the State of Connecticut. I've always hired from state of Connecticut. I can't remember anybody being from out of state. But now you're going to tell my ten guys, go home, I haven't got any work for you anymore because the contract I just got, I got to go to the union hall. And take the ten guys that they want to give me. They have -- they have qualified people, but they're not my people. They're not the people that I've taken care for the last 30 years, some of them probably been with me 15. But it just doesn't make sense to lock all us small guys out of this thing to benefit a few union people.

REP. ZALASKI: Dennis --

DENNIS SHAY: Yeah.

REP. ZALASKI: We really appreciate you coming up here, but --

DENNIS SHAY: You want me to get Frank going?

REP. ZALASKI: First, I'd like to say thanks for coming up here, but I'm not sure if --

Your name is John, right? John, if you had read the bill, you see you can never take over five days in one year. That's in the bill if you had read it.

JOHN PATTON: No. You can carryover.

REP. ZALASKI: You could carry over but you'd never take over five days in a year, never can carry over five days. Anyway --

JOHN PATTON: You can carry over 40 hours.

REP. ZALASKI: You could never carry over five days in

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a year, even if you -- if you didn't take them one year and you roll them to the next, you never could take over five. That's (inaudible).

JOHN PATTON: Okay. So, I guess --

REP. ZALASKI: -- you probably feel better now.

JOHN PATTON: So December of 2012 --

REP. ZALASKI: Just trying to make you feel better.

JOHN PATTON: -- (inaudible) they're going to call up and say, I got to use it or lose it.

REP. ZALASKI: Are there any questions?

Yes, senator Guglielmo.

SENATOR GUGLIELMO: Dennis and John are my constituents so now, you know, the cross I have to bear.

No. They're great guys. I'm glad you came up, both of you.

And I think what, you know, it is missed here a little bit. We've been sitting here a long time. And those of us that are opposed to the paid -- paid sick leave. We're not scrooges, you know, and we're not mean spirited. But the State of Connecticut -- I'm going to make a statement I'm not going to ask a question. The State of Connecticut has flatlined on jobs for a decade. So that's not anecdotal, maybe two -- John's saying two.

So that -- so these stories are not anecdotal. I mean, we have a problem. We have a serious problem. And is this one bill going to make it so much worse? No. But it's death by a thousand

cuts here in Connecticut. You know, we have -- it's a very hard -- I have a small business. This is a very hard place to business. And that's not even counting the regulation. I mean some of the regu -- some of the regulations draconian. Some of the people who enforce them are "gotch ya" people. They're not trying to work with small business. They're trying to get them to collect the fines because some of their budget comes from fine collection. So we -- we don't -- we have a hostile business environment, hostile.

JOHN PATTON: Senator, can I -- just -- kind of to your point a little bit and, you know, my wife and I are at points in our lives where we can really go in two directions. We can invest the next 20 years of our lives and our capital and our money and risk in trying to grow this business, or we can say, you know what, we don't want to, maybe we'll maintain the status quo or maybe we'll just kind of let it die a natural death.

SENATOR GUGLIELMO: Yeah, coast.

JOHN PATTON: It's not going to -- really in the end of the time, it's not going to affect me. It'd be easier if I just let the status quo and let it die a natural death. I've saved for my -- for my retirement. But, you know, I want to -- I want to expand -- I want to grow.

But, as Senator Guglielmo said, there's points in our lives where you -- you have decisions that need to be made, and when I sit up here and I go, I don't know, do I -- do I want to do it in this state? Do I want to do it at all? Because I -- you know, I understand. I mean, I -- my family has benefited from the largess of the state over, you know, over decades.

My mother was -- was ward of the state for many years. I don't mind paying my fair share, but there are times when I feel like I'm -- you're -- I'm being asked to pay my fair share, and I'm being told I'm a really "a hole" about it, though. And -- and that's -- that's what I get a lot of times. And when I see a bill like this, you know, when I have a deal between me and employees, they seem to accept it. They seem to -- it's all right. And I don't know -- and, you guys, I'm not in the restaurant business. I'm not in the health care business. I make things. You guys don't know my business. You don't know how I treat my employees. We measure our employees' longevity in decades. So -- and that's when I see this stuff and I realize that it doesn't affect us right now, but, you know, two years from now you're going to be here saying, you know, we need to lower this to 25 people, not 50. It's got to be 25 and it has to be two years, if you pass it.

SENATOR GUGLIELMO: Well, you already have people testify to that.

JOHN PATTON: Well, yeah. Then it's going to be ten. That's just the way -- that's the way it works and that's why I think, you know, you need to head it here. But those are the things that, you know, good for bad, you know, we employ a lot of people. And really it's up to us to take the risk in our capital to whether we want to continue to do that or not.

REP. ZALASKI: Representative Rigby has a question.

REP. RIGBY: You know, we've heard from some of the proponents of this paid sick leave mandate that one of the benefits of the policy is that it helps employers retain valuable employees. It

helps you, you know, keep -- keep your workforce. Have you had people jump ship because you don't have paid sick leave or paid sick leave benefit? Do you have people leave and go to Company D down the road because they -- they're offering it? Is it a problem?

JOHN PATTON: I have to say I've never -- I can't say that I've ever had that as a problem. Our employees -- and I'm very correct when I say, we measure our employees' longevity in decades. It's -- it's never been an issue. I mean there are times where you're sure you have to pay a competitive wage and you have to, you know, you make some adjustments. But that sick time policy has never been because we always are very upfront with people. This is what we have to offer. And we treat them with respect, you know, we treat them as family. But, you know, it just -- it's never been a -- turnover, that's never been any, sort of, a deciding issue as far as turnover goes.

REP. ZALASKI: Senator Gomes has a question.

SENATOR GOMES: And thank you for coming out. I hear you talk about your employees and you -- like you said they're very good employees and everything. Why would you make a statement that if they got to the end of the year and they had all these sick days, they would invent time to get off and use their sick days and everything? That doesn't sound like somebody that really has faith in his employees.

JOHN PATTON: I have faith in many employees. I also have faith in human nature. And when people are faced -- and, again, I mean, I'm dealing with a lot of different personalities. I've had to get -- let people go because of things that they've done. They've stolen from me. I got employees

that have stolen from me. I had employees that, you know, are -- are sick for no apparent reason, you know, many unexcused absences. It happens. I mean, I have to depend upon people to run my business. So, yes, I have many good employees, but over the years, I've had not so good employees.

SENATOR GOMES: Everybody's been talking about the San Francisco study all the time. Relating to that, the San Francisco studies had covered workers in small business use an average of 2.2 sick days per year. Workers in larger firms, use 3.1 days per year. Furthermore, over 25 percent of the workers that were covered and had sick days used no sick days at all. Now if you got good employees, that's what they are.

JOHN PATTON: Well, I'm going to ask you -- and I'll give you a -- a not so hypothetical that we're facing right now. We have one employee that has missed eight days since the beginning of the year. Now I've got to schedule ten trucks to go out and deliver ready-mixed con -- concrete to contractors that aren't really understanding when you tell them that their -- their load is late because they have a bunch of guys that are waiting for concrete so they can -- they can do their work. I have to have people that I depend on. Now what do I do with this employee. Now sometimes he calls up -- he'll call up that day and say, I don't feel like coming to work today.

SENATOR GOMES: You're asking me? How long are these  
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JOHN PATTON: But those are -- but those are the things that I have to face. Most of my employees are good. There are times when I don't have such good employees.

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SENATOR GOMES: How long has this employee been with you?

JOHN PATTON: He's been with us since 2006.

SENATOR GOMES: He's been with you five years?

JOHN PATTON: Yeah.

SENATOR GOMES: You don't know what to do with him.

JOHN PATTON: Well, but the question is, you know --

SENATOR GOMES: That's your company.

JOHN PATTON: You know, you can laugh, but I've employed people for a long time and, you know, I try to teach -- I try to treat them -- I try to treat them with dignity.

SENATOR GOMES: You're talking about good and bad employees.

JOHN PATTON: Yes. And we all have those. But -- but what you're doing is you're preventing me --

SENATOR GOMES: (Inaudible.)

JOHN PATTON: But you're preventing me --

SENATOR GOMES: (Inaudible.)

JOHN PATTON: There's a point when there's -- when there's bad -- when there's employees that aren't doing something, that's detrimental to the health of the company, you're making it much more difficult for me to deal with that problem. And what you're -- what you're attempting to do is now make it so that now I have to deal with the Department of Labor -- who's not going to be my friend and is going to make me spend a lot of

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your legal fees or my time or both to try to  
defend my actions to --

SENATOR GOMES: (Inaudible.)

JOHN PATTON: Well, but you're -- but you're trying to  
use a statistic of an average to say that applies  
to all employees. I telling you not all of them.  
I have very, very good employ -- I have very  
above average employees. I have below average  
employees. That's life.

SENATOR GOMES: (Inaudible.)

JOHN PATTON: Absolutely. So -- yes, I know them.

REP. ZALASKI: Thank you.

Any other questions from the committee?

Both of you, thanks for waiting and sticking it  
out.

JOHN PATTON: Oh, it's been -- thank you. I do  
appreciate your time, and you guys have a very  
difficult job. I hope you think long and hard  
before you make your vote.

REP. ZALASKI: Thank you. We're always thinking long,  
late and hard.

Okay. Gretchen Raffa. Do I have that right?

GRETCHEN RAFFA: Hi.

REP. ZALASKI: Okay, hi.

GRETCHEN RAFFA: Good evening, Representative Zalaski  
and members of the committee. SB 913  
My name is Gretchen Raffa from Planned Parenthood  
of Southern New England testifying in support of

Senate Bill 913, AN ACT MANDATING EMPLOYERS  
PROVIDE PAID SICK LEAVE TO EMPLOYEES.

Our agency serves over 70,000 patients yearly for reproductive and sexual health services. As health care providers, we understand the importance of women having routine preventative health care exams, such as screenings for cervical and breast cancer, pap smears and other reproductive health care needs, including prenatal care. These routine exams often require women to take time off from their jobs and spend 68 percent more out of pocket on health care costs than men, in part, because of their reproductive health care needs.

We at Planned Parenthood believe that all women have the right to control their own fertility and have the right to a healthy pregnancy and bear healthy babies. Prenatal care is critical for a healthy pregnancy and the development of a healthy child. Babies of mothers who do not get prenatal care are three times more likely to have a low birth rate -- I'm sorry -- a low birth weight and five times more likely to die than those born to mothers who do not get care -- who do get care.

What we know is the burden of inadequate paid sick days falls heaviest on women who are more likely to be the primary caregivers to their sick children and other family members. Half of working mothers miss work when their child is sick. And of these mothers, half do not get paid when they take time off. Among low-income working mothers, two in three report losing pay. Women who need paid sick days the most are those most likely not to have them, therefore, having to make the difficult decision of losing wages to care for themselves or their family.

No woman should have to risk her economic

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well-being or her health, yet women are often forced to decide between her health and the health of her child or her paycheck. As advocates for reproductive justice, we must consider all aspects of a woman's life, including those that may affect her economic stability.

We support paid sick days policy which promotes women coming to work healthy, having a chance to care for sick children and family members at home, receiving life-saving preventative health care services while having the income security to support those decisions she's making.

In addition, at Planned Parenthood we have a paid sick day policy offering 12 sick days annually on an accrual basis for over 250 employees because we understand that the health and financial benefits that come with such a policy for both our employees and the patients we serve at 18 health centers across the state.

We strongly urge you to support SB 913 to protect the rights of Connecticut workers by guaranteeing paid sick days and promoting the health and economic security of all Connecticut citizens.

Thank you so much for your time.

REP. ZALASKI: Thank you.

Are there any questions from the committee?  
Seeing none, thank you very much for testifying today.

GRETCHEN RAFFA: Thank you.

REP. ZALASKI: Stacey Zimmerman. I don't see him.  
He's off the list.

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Okay. Keith G -- yeah --

A VOICE: Gerace.

REP. ZALASKI: Gerace, Gerace, like Tony Gerace.

KEITH GERVASE: Thank you to the chair and committee for hearing my testimony.

My name is Keith Gervase, and I'm here to show my support for Senate Bill 913.

First, I really want to say that I have tremendous respect for John Phillips-Sandy and his small business partners that give paid sick days to their employees. It's really nice to see that there's some businesses out there being ahead of the curve on that.

I have worked in the service industry in the City of Hartford for over ten years and never once have I had a paid sick day, not even as a manager in more recent years, neither have any of my coworkers or friends in the industry that I know of.

As most industry employees will agree, if you factor in the fact that you don't have a 401(k) or employer paid health insurance, you really don't make a lot of money for the time you put in. Simply put, one day's pay is something the average employee can't go without.

People working in this industry not only go without paid sick days, in most cases, they go without sick days altogether. There always has to be someone to cover your shift -- we've heard that a lot tonight. If you can't find coverage, you have to be there. It's kind of became part of my work ethic so to say. And it wasn't until

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I broke my collar bone and, literally, could not be at work that the reality of not having paid sick days sank in.

At the time I was a bartender at a fast paced restaurant and worked with my hands. I had to return to work after only two weeks because I simply could not afford to be without another days' pay. It was pretty painful for a couple weeks after that with a broken collar bone on the job.

It's not uncommon for employees of bars and restaurants to come in sick. I've had to do it many times over the course of the past ten years. It is absolutely alarming to see how fast a cold or flu can work its way through a staff of a restaurant. We work in an industry where we interact directly with hundreds of customers in a day. Thinking about how fast a flu spreads among a staff, it's hard to ignore the fact that customers are more than likely to become infected themselves due to the unsanitary conditions.

Last year I found myself at work while I had the swine flu. Although I didn't even find out that I had H1N1 until the worst of it was over, I still felt guilty for being at work. But, in my case, without health insurance, I could not afford to miss a day at work and see a doctor as well, almost \$300 for the visit and the blood work actually. I might not be the most financially responsible person, but I think that this is the reality from the majority of people working in food service.

In regards to the Hartford Restaurant Group, a fellow who spoke earlier, I just don't see how it make sense that a group that has opened new restaurants at an average of once a year for the past eight years, can't afford the \$140,000 for

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the health of the employees that keep them growing.

Support paid sick day legislation for what I see as obvious reasons. Thank you for your time.

REP. ZALASKI: Thank you.

Are there any questions from the committee?  
Thanks for waiting it out.

All right. Dr. Stephen Smith.

STEPHEN SMITH: Chairman Zalaski, members of the committee, my name is Steve Smith. I'm a family doctor. I work in the Community Health Center in New London. I'm here tonight representing the National Physicians Alliance, Doctors in Connecticut, and we support the paid sick days bill. And the reason we do it is because it's the best thing for our patients.

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Let me give you an example, just a few weeks ago in New London at my clinic, a young man came in. He had tripped and fallen down his basement stairs. When he came into the office he could barely walk. His ribs were so bruised every breath was in agony. The bruise on his back was a foot long and half a foot wide. And his kidneys had been so damaged that he had blood in the urine. It took everything I could do and his wife could do to get this guy to stay home and not go to work. He was a certified nursing assistant, a CNA. And his company didn't provide paid sick days and because his injury occurred outside of work they provided no light duty. But we did prevail on him to stay home for a few days to begin to recuperate and that blood to get out of his urine. But then he insisted on going back because his family's precarious financial situation -- his young family's situation -- he

felt required him to go back to work no matter how badly he felt.

I was really concerned, not only for his own recuperation, but for the patients that he was going to be taking care of. I could just imagine him trying to get an elderly person to transfer from a bed to the wheelchair and being seized by pain and dropping that patient. Or imagine, if you will, that rather than just an injury, supposing he had the flu and he was coming in -- again, with all those debilitated elderly patients -- and giving -- giving them the flu.

This is simply, you know, not right. Anyone of us can become ill or injured at any time. Beyond the pain and suffering that we have to deal with our illness or our injury, on top of that, do we also have to face the financial hardships that come with nonpaid sick days? I don't think so. I think this bill can provide the health, the safety and the security that we all need. And that's why the National Physicians Alliance -- doctors here in Connecticut -- support its passage.

REP. ZALASKI: Thank you very much for testifying.

Are there any questions or comments from the --

Well, we appreciate -- yes, yes.

REP. MINER: Thank you, Mr. Chairman.

Just so I can get my head around the National Physicians Alliance here in the state of Connecticut, is that an organization of all physicians in the state of Connecticut?

STEPHEN SMITH: No. It's a -- an organization of physicians who feel that we ought to put patients

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first before profit.

REP. MINER: And to the extent it's not, could you tell me how many members there are?

STEPHEN SMITH: Well, it's a little -- our national organization has about 25,000 members. I'm not exactly sure how many we have in Connecticut. Probably proportional to -- to the -- according to the population of the state. I have a leadership group of about 100 people, a hundred doctors that we sent this bill out to and asked their opinion, and I'm speaking on behalf of -- of those doctors, there was unanimous support for this.

REP. MINER: Thank you. So -- so the leadership group of a hundred are from Connecticut?

STEPHEN SMITH: Yes, from Connecticut.

REP. MINER: So -- so, theoretically, the -- do you have any idea how many physicians there are in the state of Connecticut?

STEPHEN SMITH: I don't have an exact number, no.

REP. MINER: Okay. Thank you.

STEPHEN SMITH: You're welcome.

REP. ZALASKI: Yes.

Representative Aman has a question.

REP. AMAN: A very different part of the bill, it talks about if you're sick for three or more days, you need to go and have a doctor's opinion on it. If someone's had the flu for three days and they had to go in and see you, what is that visit going to cost them?

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STEPHEN SMITH: Well, that's a -- at the Community Health Center, you know, sometimes it costs them nothing because all of our patients are either on Medicaid, HUSKY or uninsured. So the cost to the patient themselves is pretty low because of our sliding scale (inaudible).

REP. AMAN: But that's for yours. If they go to the average MD down the street from you, who is not in the same feeling as you are, can you give me an approximation of what it might cost? I mean, is a doctor's visit \$75 or \$10 or whereabouts would it be?

STEPHEN SMITH: I should know the answer but I -- I actually, honestly, don't know what the average cost of an office visit is. Like -- like most of you, you know, I have health insurance so I have my \$10 or \$20 copay and that's all I see. I don't know what BlueCross is paying.

REP. AMAN: Okay. Thank you.

REP. ZALASKI: Thank you for coming up today.

We have two other doctors that are going to be testifying, Representative Aman, so maybe they would know.

The next one in line is Dr. Larry Durch. No. Okay. So we only have two.

The next one is Laurel Baldwin-Ragaven. Did I say that right? Ragaven -- thanks. I've been murdering people's names tonight. I apologize.

LAUREL BALDWIN-RAGAVEN: Okay. Good evening and thank you for hanging in here and thank you also for keeping the doors open. I appreciate the -- the privilege of being in the democracy and being

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able to come here and speak to you tonight.

So I'm coming here as a family physician in support of Senate Bill 913, in support of paid sick days legislation. And from my own perspective, thankfully, I've actually never -- unlike people who testified before me -- I've never personally had to confront this issue myself as an employee. I have always benefited -- probably like all of us here listening -- from paid sick leave.

And I want to share with you what I see in contrast, the human consequences of no paid sick leave on the frontlines at the cold phase. In my experience as a family physician for the past 25 years, serving mainly underserved communities and now in Hartford for the past ten years working with those who have no health insurance. And from this experience, I understand how universally difficult it is for people to decide to take time off work when they're sick. Yes, people are adults and as adults these are not such easy decisions. And besides the personal nature of these decisions, I'd like to also draw the attention -- your attention -- to the public health implication that the choices that sick people make and how they affect all of us.

So, firstly, going to work sick does not make public health or economic sense. Productivity goes down when people are unwell, and if -- as we've heard -- if contagious, the risk to fellow employees, employers, and even clients is significant. I'm sure that probably now you've already heard about the study of restaurant workers, 80 percent of whom do not enjoy paid sick leave across the country. And in a study looking at nine different states -- employees -- restaurant worker employees in nine different states, 12 percent of these reported going to

work when they were experiencing symptoms of diarrhea and vomiting at least twice in the past year. And we all know when we go in there, we see, you know, in restaurants, you know, please wash your hands employees, please wash your hands, and we, you know, the fact that the signs are there also tells us that this is not necessarily something routine that restaurant workers, food handlers will automatically do.

And interestingly, the pattern for people with diarrhea and vomiting going to work while they're sick, you know, well, we think, well, it's only going to affect those people who drive through at McDonalds or who go to Wendy's or whether Burger King. In fact, whether it's fine dining or fast food, everybody -- all restaurant workers went to sick regardless of -- of what kind of restaurants they were working at. And as well, we all remember Hepatitis A with the green onions that left hundreds of people sick and Chi-chi's out of business, as well as the E. coli infection of spinach. And this was because farm workers actually were going to work sick.

So I think that we've heard from previous workers about -- previous people who testified about families and parents. And I think really it's not having paid sick leave leaves people in very difficult decisions between a rock and a hard place. And I think with the recession, these are really issues around equity, around health disparities that we see amongst various racial and ethnic communities, and I think that in Connecticut we need to take a leadership role on this to really, I think, help our patients, help our people, help the workforce.

REP. ZALASKI: Thank you very much for testifying.

Representative Rigby has a question.

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REP. RIGBY: Good question. Thanks for your testimony.

We heard from restaurant owners that many times a waiter or waitress or a server will -- will still come in to work even though they're sick because they -- they -- the lion share of their money is made through the tips that they receive and not so much through the hourly wage. And their -- their opinion was that this paid sick leave bill wouldn't motivate them to stay home when sick because they would only get their -- their minimum wage, not the -- the tips themselves. Can you just comment on that for the committee?

LAUREL BALDWIN-RAGAVEN: Sure. I mean, I don't think that you can force people to stay at home while they're sick. And I think that, ultimately, people are going to do what they want to do. I went to the bank today and they have paid sick leave amongst the people at the bank. And, yet, I think that people are so stressed that they're making decisions to come to work sick because who will cover your shift and so I think that it's a complicated business. But I think you need to give people choices because people will make the decisions that they need to make and, you know, it's not going to decrease the risk if a sick restaurant worker comes into work, but, hopefully, they'll at least have some leeway to maybe for the first 24 to 48 hours of their viral illness, you know, where they really are -- where they really should be in bed or drinking fluids or remaining hydrated and then they can make it up, you know, another time.

I don't have a good answer to that, but I -- I just think we needed to give people options. And, you know, there are studies that show that people do not abuse this privilege, you know, of

paid sick leave. People don't take it and store it up at the end of the year.

Experiences from other places that have enacted it -- countries that have enacted it, and so, I think we have to have confidence in people's judgment. And by giving them certain guarantees, they're going to the right thing.

REP. ZALASKI: Thank you.

Are there any other questions? I would just -- have a quick question and that is you went to the bank today you told us.

LAUREL BALDWIN-RAGAVEN: Yeah.

REP. ZALASKI: And did you just happen to ask the teller, do you have sick days?

LAUREL BALDWIN-RAGAVEN: I did.

REP. ZALASKI: Oh, okay.

LAUREL BALDWIN-RAGAVEN: I told her that I was going to testify today and that, you know, I was wondering if what happened in her situation, and she actually did have paid sick leave. But they've cut staff so much there that they -- many of them are coming to work sick, and it's a vicious cycle because, as you'll see in my written testimony, there's a lot around transmission of flu, you know, hand to hand, like people coughing here, sneezing all over us. And it -- you know, so they felt that they couldn't leave because they are not replacing positions because of cutbacks. And, you know, it's -- it's true.

It's difficult to enact this in a recession, and, yet, I think that makes us all the more

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vulnerable in some ways because we do have a resurgence. We've seen H1N1 which came really out of left field with, you know, novel -- novel influenza, and I think with the recession, people aren't going to make these very difficult decisions to delay health care to maybe, you know, not do prenatal exams, and then what's going to happen, that's going to place an additional burden on the public health system.

There was actually something that I read very poignantly where a restaurant worker was having chest pain and did not have paid sick leave, did not go to attend to his chest pain because he needed the paycheck for his family, and he actually died not -- not of a heart attack, but he died because his diabetes was out of control and ended up with a sepsis in his feet. So, you know, I mean, and so it's -- I just think it gives people, you know, especially low-income people a lot more choices. That's all.

REP. ZALASKI: Well, thanks. Thank you again for coming in to testify.

LAUREL BALDWIN-RAGAVEN: All right. Thank you. I appreciate you listening.

REP. ZALASKI: Mike Brown. You thought you'd never get up.

MIKE BROWN: I did actually.

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Hi, my name is Mike Brown. I'm actually the president of New Standard Institute, Tessa Marquis spoke earlier.

We actually have a SBC restaurant down the street from our office. And a Wood-n-Tap in Orange which is pretty close by and a Chili's also in Milford. I'm not going to go there again. The

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-- and I actually heard -- I had submitted some testimony. I have -- I have testimony that I submitted already, and I just -- it's already in your record. I just wanted to read something else. I just -- one of the things that came to mind is that the -- that my testimony doesn't have any of the very, cold hard numbers that the paid consultant from the CBIA had. But I do have something that I would -- I got -- just put together after we had a little discussion with some other people that I know here regarding the New York City proposed legislation. The bill that was brought up by the CBIA -- CBIA lobbyist, and still does -- does have a veto proof majority of support still in New York City.

After having lobbying my corporate community, Christine Dunn, the speaker of that body, the city council, got cold feet and singly decided not to bring the bill up for vote. She did not promise to review -- she did promise -- excuse me -- to review the issue -- the issue in two months so it's still on the table for anyone who needs to know that.

It is unfortunate that the CBIA lobbyist did not describe the whole situation to the committee, and it would be further uninformed for C -- Connecticut policy to be dictated by the whims of one New York city council member. And that's all I have to say here.

REP. ZALASKI: Thank you very much for testifying.

Are there any questions?

Yes, Representative Miner.

REP. MINER: Thank you, Mr. Chairman. Good evening. I wanted to just kind of get your take on the testimony that was supplied by the two gentlemen

who were sitting here. I think one was an electrical contractor, maybe both of them -- both of them were. And I was kind of watching you watch them. Did you get the same impression that they have almost a visceral objection to state's intervention in how businesses operate?

MIKE BROWN: I think that they didn't like mandates and they feel -- they feel against -- if -- they're strongly against mandates. I don't know who -- who likes the idea of mandates in any situation. The -- I think -- but in this case -- what we're talking about is what's right and wrong. And what's right for -- what's right to keep your employees healthy and do you care about your employees. And I really got the impression that in some cases they love their employees, and in other cases, they do not like their employees. They think lowly of them. And I didn't get that -- I didn't like that talk at all -- not at all what I heard from those two people.

REP. ZALASKI: And so when it comes to this issue, I gather you -- you think government should intervene and should provide some threshold.

MIKE BROWN: It would be won -- absolutely wonderful if people were to all go about doing it on their own. Large companies do it because they have to be competitive. Tessa, my wife, who's also my partner, talked earlier about this and a lot of our clients already, you know, provide this because it's a -- it's a way for them to be competitive. It's actually a way for them to be competitive to provide -- provide paid leave and they know that it's a necessity. You can't go from one job to the next in those kind of businesses without expecting -- we don't have paid leave but, boy, we were going to give you these other benefits, you know, free soda, or something. And I think in reality -- I think in

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reality what they're really going to want is if they go to a small company, such as mine, or any other company they're going to want those same kind of benefits. And if I'm going to attract the highest quality tech people -- and most of the people that work for me are technical level people, they're going to expect those kind of high -- very good benefits.

And, you know what, I don't have a problem with it because I just think it's -- it's the right thing. It's the right thing. I don't want sick people coming to work. It's not that I don't like sick people. I just think they make other people sick. And that's -- that's not good. I don't want them to get sick from them. They don't want to get sick from me, and that's just the way it is. It's just the way it should be. They have things that go on in their life and they want to be -- they want to -- want to be able to take care of those things that are important to them and important to the way they -- to their lifestyle and their life. And I give them time to do that, no problem whatsoever. It's built right into our policy.

REP. ZALASKI: I saw the same thing you saw in those two gentlemen that they're opposed to state mandates. Thank you.

Are there any other questions? Hearing none --

MIKE BROWN: It's just one part of what I saw.

REP. ZALASKI: Thank you very much for testifying today.

Harold Harris. Thank you for testifying today.

HAROLD HARRIS: Thank you for staying up.

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I thank the committee for hearing me. My name is Harold Harris. My company is Plastics and Concepts. I no longer have any employees in the state of Connecticut so this law doesn't apply to me directly. But I still oppose the law, not out of self-interest but out of concern for the people of Connecticut.

We -- I came to Connecticut in 1969 that was like the golden times. Since then, it's been a downhill slide not just the last 20 years but the last 40 years. Our employment and the growth of this state has been sliding down, down, down. And as a result, my kids had to leave this state to find jobs. Okay? And this downturn did not get created by the current problems. It's -- it's something that's been around for a long time. And it has been exposed more recently because of the downturn. And you hear the term, "we're all in this together." Well, if the state, municipal and private sector employees are all in this together, we -- and if we want to prosper, we need a free market system to prosper.

You know, we must do two things. First thing is you need to understand how the free market works. Don't fall back on misleading stereotypes that say that profits are evil. Profits are not evil. Profits are what are used -- that are -- what result after you pay all the bills, including the executive salaries. A lot of people think profits go to the executives, but they're paid before profits. And profits are used to pay off debt, and they're used to invest in new projects that create jobs.

Businesses are not currently hoarding cash, as you may have heard some people say. We are paying off the debt that we've accumulated over the last three years. When we've got that debt paid off and we feel comfortable, then we will

create jobs.

But, the second thing that we need to know is that the State, and everyone in the state, needs to help businesses make a profit. We need to eliminate wasteful mandates, not add more mandates, like the sick paid leave bill. So these mandates send one message and that is it's Connecticut's way or the highway. If you want prosperity, you need to kill this bill and all the bills that are like it and go back and pull the ones out there that are already there that caused this slide for the last 40 years.

Any questions?

REP. ZALASKI: Thank you for you for your testimony.

Are there any questions from the -- I just have a quick question -- that just -- kind out of curiosity. And the first thing you said was free market, you know, you were talking about a free market system. Right?

HAROLD HARRIS: Correct.

REP. ZALASKI: And does that mean that you would be favor or against, like, a minimum wage? I mean, I'm just curious.

HAROLD HARRIS: Okay. The free mar -- the minimum wage it's something that we have, but it's -- you really shouldn't have in a free market. I mean, you really shouldn't have a minimum wage. It's why -- all it does -- all a minimum wage does is it just it sets the new lower threshold. And then inflation and everything else comes up to it, and that new minimum wage is now -- still has the same buying power it had before it was raised to the new minimum wage. So you're not -- but you got to look at it as buying power. What's

the buying power?

And does the minimum wage create more buying power, or does the buying power stay the same and everything just -- the cost of everything goes up. And also some of the other arguments against minimum wage is that the -- it hurts the entry-level people.

You know, like, I started working when I was 12 years old. And the -- you know, my first -- my first job, I think, was 80 cents an hour. I worked a lot. I worked a lot of jobs that were for free because I worked for my grandfather. You know, like, I washed dishes when I was in parochial school because it helped pay the way. When I was 12 to 14 years old, I was washing dishes in the parochial school because it cost money to go to parochial school, you know, and when I -- later on while I was in college, I washed dishes to get through college. So but I also -- my grandfather had a farm, and I used to, you know, the whole family used to go out and help him all the time and that was for free. We just got to eat what was on the table.

So, you know, it's -- wages are -- people -- people need to, you know, they need to make money to work but what you're looking at is not the dollar amount. You're looking at what that dollar can buy. And because of our free market system over the last hundreds of years, we -- we have made it possible for people to buy more with less money. You know, we have the most -- in the world -- we have the most disposable income -- the average person has the most disposable income as any other -- anyone else in the world.

REP. ZALASKI: I would guess that we'll have a debate for another day on why that reasoning is. And I appreciate you coming in and testifying today.

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Thank you very much.

HAROLD HARRIS: Any other questions?

REP. ZALASKI: No, that's it.

HAROLD HARRIS: Okay.

REP. ZALASKI: Thanks.

HAROLD HARRIS: Thank you.

REP. ZALASKI: Okay. Rob Welch from Cheshire. No.  
No Rob Welch?

Ronald Pen -- Penton. It's Cheshire, isn't it?  
We always make fun of people (inaudible).

RONALD PENTON: Good evening, Mr. Chairman and other  
members of the committee. I appreciate this  
opportunity to come, and I'd like to thank you  
for hanging in as long as you have tonight, also.

I'm a project manager with LaRosa Building Group  
in Meriden. Unlike a lot of the people who  
testified tonight, I'm not a business owner. I'm  
an employee. Although passage of Bill SB 987  
might not direct me to immediately, I just felt  
it was important enough to come and testify  
tonight.

We employ 43 Connecticut citizens. We're general  
contractors who work throughout the state. And a  
fair percentage of our work involves working on  
state university jobs. So this would impact all  
of our people. And from our examination of the  
bill, this would not only hurt us and our  
employees, but it's our belief that it would also  
add cost to the taxpayers of Connecticut.

We feel very strongly that it's less expensive

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Seeing none, thanks for hanging in there. You did a good job.

JAMES LAROSA: Thank you very much.

REP. ZALASKI: Thank you.

Okay. Tom Braden. Is he here? No. You don't know him? He's with ABC.

Okay, then we're moving right along. Tom Swan. Going once, going twice, gone.

Jon Green. You're the b -- what do they call at the end of the game, clean up.

JON GREEN: I don't think it's cleanup. You know --

REP. ZALASKI: What?

JON GREEN: The closer, yeah.

REP. ZALASKI: Oh, you were here for him. All right.

JON GREEN: Thanks everyone. It's been a long night. I'll be as quick as I possibly can. I want to thank the co chairs of the committee and everyone for sticking it out.

I'm here to support Senate Bill 913, an act concerning paid days. My name is Jon Green. I'm the director of Working Families. And, you know, there's not a lot that hasn't already been said, but I do want to, you know, begin by saying I think that there is a great interest in making sure that Connecticut is a place where both employers and employees can thrive and succeed. And I think that a policy like paid sick days -- we've heard from many employers that the cost to them is effectively negligible. So I think there are things that we can do to make our state more

business friendly in the area of health care costs, energy costs, you know, regulation and permitting that doesn't require some of the gut-wrenching negative consequences that we've heard from folks today, that doesn't require people to almost die because they didn't get to go to the doctor to get primary care.

And I would encourage folks to -- to think about ways that we can address the business climate that doesn't just lead to the race to the bottom that you heard from an employer testifying here today.

Just a couple of other points. I think that there are people on both sides of the issue and all across the board who approach it from a very philosophical point of view. And, you know, I think I do as well. But I also think that there are those of you who would want to take a pragmatic approach and really look at this from a cost-benefit analysis. We've heard from employers who think it's very costly. We've heard from employers who think it's not at all costly.

But I want to suggest that there are costs to the status quo. There are costs to not having a paid sick day policy that we tend not to think about. They're a little harder to monetize but they're huge and they dwarf the costs that impact employers directly. Just a couple of points: the Department of Public Health estimates that there are 48,000 preventable hospitalizations per year in the state of Connecticut; 48,000 people who end up going to a hospital emergency room that could have been prevented with access to primary care or timely treatment of illnesses. What is that cost? What is the cost to Connecticut citizens of 48,000 unnecessary hospitalizations? It's a billion dollars, a

billion dollars. That's a lot more, a lot more than a paid sick days policy would cost anyone.

Just, lastly, the Center for Disease Control estimates that, per year, in the United States there are 23 million norovirus transmissions. Norovirus as being food-borne illnesses sometimes called the "cruise," you know, "flu" or something like that. 23 million, that means if it's proportional by state that's about 23,000 of those occurring in Connecticut per year. Half of those according to the CDC are caused by sick food service workers coming into work.

So all I would ask is that sometimes it's best to try to put our philosophical hats aside and do that cost-benefit analysis, but do it in a complete way and think about what our gargantuan costs that we all face in our state as a result of the barriers that the lack of paid sick days create to getting early treatment of illnesses and timely care and the increased spread of illnesses that are directly related to the presence of sick food workers or sick workers, in general, in their workplace.  
Thanks.

REP. ZALASKI: Committee?

Seeing none, Jon, thank you very much.

JON GREEN: Have a great night everyone.

REP. ZALASKI: Stacey Zimmerman, now goes to cleanup, maybe.

STACEY ZIMMERMAN: Well, we hope so -- late here in the after -- in the evening so.

Well, as you may figure I'm here to testify on Senate Bill 913. I'm here on behalf of the

Service Employees International Union. My name is Stacey Zimmerman.

Well, 89 percent of the public believe this is a good bill, I mean, that's an extraordinary number when you look at. So, politically, I can't understand why anyone would actually not support this bill. But going -- going a little farther, I mean, you've heard a litany of reasons why this may be too expensive to implement; no other state does it; businesses already offer sick time. But the fact of the matter is this is just an ideological fight. There's no other -- it's not about costs. It's not about right or wrong. It's ideological. The same arguments we've heard throughout history. If you listen close enough, this is the same rhetoric that would have -- we'd have no Child Labor Laws; we'd have no 40-hour work week; we'd have no Workers' Compensation; we'd have no antidiscrimination laws. This is just, quite honestly, a fight amongst workers and business.

There is a happy medium. The happy medium is that we pass this bill. Workers get five days, at most, five days of sick time. It doesn't hurt the business. It's like 17 cents an hour. I mean, you've got my written testimony. I'm not going to go over it. We've heard -- what is it? Five, six hours of testimony -- seven hours. So, in essence, this is a good bill. It ought to pass. And I can't think of any reason why it shouldn't pass.

REP. ZALASKI: Thank you, Stacey.

Are there any questions?

Representative Miner.

REP. MINER: I gather from your employment that you

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believe strongly in organized labor.

STACEY ZIMMERMAN: Correct.

REP. MINER: Why is it that you believe the legislature should be providing a benefit for which your workforce has the ability to negotiate?

STACEY ZIMMERMAN: Well, the vast majority of my workers actually have sick time. This is about the folks that aren't recognized by organized labor. This is about the fact that workers who, in essence, work every day that don't have a union can gain some sort of status, some sort of benefit from their employment.

This is the 40-hour work week 80 years ago. This is Child Labor laws a hundred years ago. This is the triangle shirt fire -- shirt factory fire. This is another step in making sure we have a just society where sickness isn't passed from one employee to another, from one worker to the general public. This is a public health bill as the Governor said.

REP. MINER: And -- and so if I could just go back to my question. Are there any of the employees that you represent that don't have paid sick leave?

STACEY ZIMMERMAN: We do have some workers who do not, some janitorial staff who do not have paid sick leave. If you look at our contracts, the Fairfield County folks are janitors; have paid sick leave. The Hartford County folks do not. We -- we'll negotiate that in our contract. But, once again, this about workers whether they have a union or no union, they deserve the right to be able to stay at home with their sick kid, to be able to stay home with their sick spouse, to be able to stay home sick themselves.

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REP. MINER: In -- and I appreciate you having an interest this evening in taking that decision. We heard tonight from other employees that are also represented by bargaining groups that also acknowledge that they have the ability to negotiate for that benefit.

In a legislature with what I think is perhaps the strongest labor support, it just seems unbelievable that it isn't strong enough to have the ability to negotiate for that benefit in the face of everything else. So that for some reason, we, in the legislature, feel this need to usurp when it serves the will of those in organized labor, organize labor. And I just for the life of me can't understand why. Thank you.

REP. ZALASKI: Representative Rigby.

REP. RIGBY: Thank you, Mr. Chairman.

You know, we heard testimony from small business throughout the state of Connecticut that if this bill were to become law, they would have to shrink the size of their workforce to make up the -- make up the difference -- make up the loss in revenue and profit. Would you -- would you want to see this bill passed and -- and these sick days to become mandatory at the cost of a couple machinist jobs or two or three waiters or waitresses at the local brew pub? Is that -- is that -- is that an accurate statement?

STACEY ZIMMERMAN: Of course, we don't want to see any jobs sacrificed. I think that 17 cents an hour -- I think folks that are arguing that 17 cents an hour would sacrifice jobs are, quite honestly, speaking nonsense. I think the 17 cents an hour is something that both society can

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absorb. I mean, I think society can absorb a 17 cents an hour wage increase. This is the same argument you've heard a hundred years ago for child labor. This is the same argument you heard 80 years ago for women's labor. This is nonsense.

People who are opposed to this are opposed to this ideologically. They're not opposed to it financially. And I -- I cannot see how they could possibly think that you'd lose jobs because of this bill.

REP. RIGBY: Well, maybe -- maybe you can clarify for me then. The machine shop in my district who's on a firm fixed price agreement with his customer. He's not allowed to change his pricing for three years. We -- we agree there is a cost to implement this mandate. Right? What that cost is we've yet to fully -- fully, you know, bear that out, but we agree there's a cost. Who is he going to pass the cost on to? I mean, he can't absorb it himself because he's just breaking even. I mean, he can -- his --

STACEY ZIMMERMAN: Honestly, I think that we've seen in America and in Connecticut the fact that the managers and the owners refuse to absorb costs themselves. I think he'd take it out of his own salary, quite honestly. It's 17 cents an hour.

REP. RIGBY: But that 17 cents an hour of the size of his company that translates to just shy of \$100,000 a year. I mean, even if -- even if we say 17 cents an hour is accurate --

STACEY ZIMMERMAN: I suggest you ask him how much he makes a year.

REP. RIGBY: Let's say he makes 60,000 a year just, I mean, where -- where's he going to -- and he

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doesn't pay himself anything, right? The cos -- the money has to come from somewhere. And in these tough economic times, he can't just go to the piggy bank and take it out.

STACEY ZIMMERMAN: It's 17 cents an hour and once he renegotiates his contract, I think he can renegotiate 17 cents an hour.

REP. RIGBY: You think that General Electric is going -- let him raise his prices across the board and still give him the work?

STACEY ZIMMERMAN: I believe he will renegotiate a contract, as we all will, when our contracts are up, 17 cents an hour per employee. I don't believe that is an excess amount to protect to public health.

REP. ZALASKI: Any other --

REP. RIGBY: I don't really want to -- I'm trying to understand 17 cents an hour. Is that the same cost per employee no matter what situation it's in?

STACEY ZIMMERMAN: That is a cost that has been determined by difference studies that have happened when you incur sick time.

REP. RIGBY: Well, my question is -- is the cost per hour the same for an employee that earns \$8 an hour as it is for one who earns \$35 an hour?

STACEY ZIMMERMAN: From my understanding, yes.

REP. RIGBY: Really?

STACEY ZIMMERMAN: From my understanding, correct.

REP. RIGBY: I don't think that works but all right.

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That makes the rest of it understandable.

Thank you.

REP. ZALASKI: Thank you.

Any more questions?

Okay, Stacey. Thank you very much.

STACEY ZIMMERMAN: Have a splendid evening.

REP. ZALASKI: Thank you, you, too.

Is there anybody else that would like to come up  
and testify that's still here that has not signed  
up? Are you sure? This is it. Okay.

Thank you very much.

Motion to adjourn.

LAW OFFICES

**SIEGEL, O'CONNOR, O'DONNELL & BECK, P.C.**

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PLEASE REPLY TO HARTFORD OFFICE

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March 1, 2011

**TESTIMONY BEFORE THE COMMITTEE ON LABOR AND PUBLIC EMPLOYEES**

Re: S. B. - No. 913, An Act Mandating Employers Provide Paid Sick Leave to Employees

Representative Zalaski and other distinguished committee members, I am privileged to represent TLC East, LLC ("TLC") an employer of almost 400 employees in Connecticut and thank you for this opportunity to address S. B. - No. 913. TLC operates seven Applebee's Neighborhood Grill & Bar restaurants in Connecticut.

T. L. C. urges you not to pass this proposed legislation. This Act would be contrary to the state's efforts to improve an already dreary business climate.

While T. L. C. now operates seven Applebee's Neighborhood Grill & Bar restaurants in Connecticut, it once had ten. Unfortunately, it was forced to close three of its restaurants due to Connecticut's poor economy. If passed, this Act would further negatively impact T. L. C.'s ability to maintain its current business operations.

There is no question that T. L. C.'s restaurants make a significant contribution to the Connecticut economy. T. L. C. employs 368 hourly and 28 salaried associates in Connecticut and has an annual gross payroll within this state of approximately \$7.7 million. Beyond this, in 2010 it paid \$138,000 in payroll taxes, \$55,000 in real estate taxes and \$31,000 in property taxes.

T. L. C. values its associates and provides an array of benefits, despite the difficult economic times. For instance, T. L. C. is currently able to accommodate the changing needs of its associates by providing flexible work schedules. This has been very beneficial for associates such as students and parents juggling their many responsibilities.

T. L. C. also offers all of its hourly associates access to a health plan. All hourly associates have the opportunity to enroll in a limited medical benefit plan, regardless of whether they are employed part-time. Moreover, any associate who works thirty or more hours is currently able to enroll in a medical plan through Blue Cross/Blue Shield.

**SIEGEL, O'CONNOR, O'DONNELL & BECK, P.C.**

COMMITTEE ON LABOR AND PUBLIC EMPLOYEES

S. B. - No. 913,

March 1, 2011

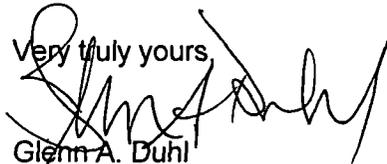
Page 2 of 2

As a further benefit, all associates who have worked an average of thirty hours per week in the previous calendar year are currently eligible for paid vacation. After six months of employment, all associates may participate in T. L. C.'s 401 (k) benefits plan. T. L. C. also offers its associates discounts on their meals.

The proposed S. B. No. - 913 will have an unduly burdensome effect on T. L. C.'s organization, which is already forced to operate under a very lean margin. The Act will increase costs and, in a downward economy, severely impact its ability to continue its operations in Connecticut. It certainly cannot be the intent of this legislature to jeopardize existent businesses in this crippling economic climate.

Accordingly, T. L. C. Companies urges the legislature not to pass S. B. No. - 913. Thank you for your attention to this important issue. If you have any questions, do not hesitate to contact me.

Very truly yours,

  
Glenn A. Duhi



**State of Connecticut**  
**OFFICE OF THE SPEAKER**  
LEGISLATIVE OFFICE BUILDING, ROOM 4100  
HARTFORD, CONNECTICUT 06106-1591

Testimony of Speaker Christopher G. Donovan  
In support of Senate Bill 913  
**AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES**  
Before the Labor and Public Employees Committee  
March 1, 2011

From a public health point of view, staying home from work when you or your children are sick is just common sense. In 2009 when there were widespread concerns about an outbreak of a swine flu pandemic, the State of Connecticut issued a press release stating:

“Governor Rell and State Health officials say everyone should follow standard precautions to reduce the spread of any respiratory illness.

- Stay home when you are sick to avoid spreading illness to others. ...”<sup>1</sup>

While the majority of Connecticut employees do in fact have paid sick leave, the common sense option of staying home is difficult, if not impossible, for many working families if they lack access to paid sick time. According to a survey conducted by the National Opinion Research Center at the University of Chicago, those who lack paid sick time are 15% more likely to go to work while suffering from a contagious disease than those who have paid sick leave.<sup>2</sup>

Yet even though staying home when you are contagious is an effective, if not the most effective, way prevent the spread of illness, the United States is one of the few industrialized countries that does not permit employees reasonable access to time off from work without jeopardizing their jobs. According to the University of Chicago survey, 17% of respondents have reported they or a family member have either been disciplined or threatened with disciplinary action for taking time off for personal or family sickness. And in a report by the Society for Human Resource Management surveying why employees come to work sick, nearly half of the respondents cited fear of discipline if they stayed home.<sup>3</sup>

Those fears are real. In a paper on pressures workers face dealing with ill family members, University of California Law professor Joan C. Williams writes:

A bus driver was fired when she arrived three minutes late because her severely asthmatic son had an asthma attack. A packer was fired when she left work in response to a call that her daughter was in the emergency room with a head injury. A press operator... who was the primary caregiver for her mother, came to work late because she said she was up until midnight monitoring her mother's blood pressure, which was dangerously out of control. She returned home to find that her one-year-old was having trouble sleeping, and fell asleep while rocking the child in a rocking chair. The next morning she overslept, called in to report she would be late, but was fired when she arrived 20 minutes late... A single mother...was fired for tardiness stemming chiefly from her son's Crohn's disease. Each morning she had to unhook her son from his IV, bandage him, administer medication, get him off to school, take two buses to take her toddler to his babysitter, and then take a third bus to get to work. When she was late, she often worked through her lunch hour to make up the time...but given the lack of suitable child care and other social supports, she ultimately lost her job.<sup>4</sup>

Even though surveys have shown broad public support for paid sick leave, a major stumbling block has been the perceived potential harm to business, particularly small businesses, if a measure like SB 913 was enacted. It is important to note that this measure only covers larger employers- those with fifty or more employees. And, in the first empirical study on effects of the first paid sick leave law passed in San Francisco four years ago, analysts found the fear of negative impacts on businesses to be mostly unfounded. According to a Christian Science Monitor story:

The study of 727 employers and 1,194 employees found that two-thirds of employers support the law. It found that it is rare for employees to misuse paid sick days and that workers tend to save them for emergency use and thus end up using far fewer than the maximum allowed.... "A lot of small business owners were really freaked out when this first went into effect, especially smaller retail stores and restaurants," recalls Sam Mogannam, owner of Bi-Rite Market, who employs 110 workers at two locations. ... "It's made a highly positive impact on staff morale. I think it's a win/win situation for employees and employers," he says... Other findings include: despite the availability of as many as nine sick days under the ordinance, the typical worker used only three paid sick days for the year and a quarter of the workers used zero sick days.<sup>5</sup>

As a former chair of this committee, I know that it is often the place where tough issues are debated, a place where a balance has to be struck between protecting working families without placing onerous burdens on employers. I am confident that this committee and the legislative process can produce a groundbreaking piece of legislation that will meet both those of challenges. I am therefore pleased to add my support to Senate Bill 913.

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<sup>1</sup> Governor Rell Formally Requests and Formally Accepts Release of Antiviral Medications by Centers for Disease Control to Connecticut, Press release, April 27, 2009

<sup>2</sup> Paid Sick Days: A Basic Labor Standard for the 21st Century  
Prepared by Dr. Tom W. Smith at the National Opinion Research Center  
University of Chicago  
August 2008

<sup>3</sup> "Beware the Ill Effects of Sick Employees at Work", Stephen Miller, Society for Human Resource Management, January 18 2008

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<sup>4</sup>"ONE SICK CHILD AWAY FROM BEING FIRED: When "Opting Out" Is Not an Option", Joan C. Williams, University of California Hastings College of the Law, 2006

<sup>5</sup> "Mandatory paid sick leave: How has it worked in San Francisco? "Christian Science Monitor February 11, 2011



**State of Connecticut**  
**HOUSE OF REPRESENTATIVES**  
 STATE CAPITOL  
 HARTFORD, CONNECTICUT 06106-1591

**REPRESENTATIVE ROLAND J. LEMAR**  
 NINETY-SIXTH ASSEMBLY DISTRICT

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**MEMBER**  
 FINANCE, REVENUE AND BONDING COMMITTEE  
 PLANNING AND DEVELOPMENT COMMITTEE  
 TRANSPORTATION COMMITTEE

Testimony of Rep. Roland Lemar (D-96) in favor of RB 913, AN ACT MANDATING  
 EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES.

Before the Labor and Public Employees Committee

March 1, 2011

Dear Chairwoman, Sen. Prague, Chairman Rep. Zalaski -, and distinguished Members of the  
 Labor and Public Employees Committee

My name is Roland Lemar and I am a State Representative from the 96<sup>th</sup> Assembly District  
 which encompasses Hamden and New Haven.

Thank you for the opportunity to address the important question of how a paid sick days policy  
 would impact employers, workers, families, and the general public here in Connecticut.

Everyone gets sick. Not everyone has time to get better. As many of you are aware, an estimated  
 600,000 workers in Connecticut lack paid sick days. Some of the largest groups of workers  
 without paid sick days include workers in food service, retail and healthcare. 78% of workers in  
 food services and accommodations lack paid sick days. When those workers come to work sick,  
 they risk spreading illness to their coworkers and to the general public.

Families depend on their jobs to survive and our communities depend on their continued  
 employment in order to thrive. But when workers don't have access to paid sick days, staying  
 home to recover from illness or to care for a sick loved one means losing a paycheck and  
 possibly a job. A stable and strong economy depends on an economically secure, healthy and  
 productive work force—all of which cannot be achieved while so many of our workers have no  
 paid sick leave available to them.

This must change - Too many hard working residents of New Haven and Hamden, the  
 communities I represent, do not have paid sick days and losing their wages or job is as easy as

catching a cold or having to take your child to the doctor. This is not good for our communities, it's not good for our local economy -it's not healthy, and it's not right.

Especially in a tough economy, no one should have to choose between their job and their family's health. For people who have paid sick days, they are easy to take for granted — until your waiter, your child's school bus driver or day care provider comes to work sick. Allowing workers to earn paid sick days is critical to family's economic security and to public health.

New research adds to the considerable evidence showing paid sick leave legislation would not harm businesses in Connecticut. This February, a study of San Francisco employers by the Institute for Women's Policy Research found that a majority (two-thirds) of employers there support the law four years after it was implemented. Support was equally strong among small businesses.

This new research sheds new light on what impact a similar bill would have in Connecticut. When the vast majority of businesses in San Francisco say that the paid sick days has not hurt their bottom line, it is time for our opponents to take back their claims that it would kill small businesses in Connecticut. The evidence is decidedly against their stance.

The study found that most workers don't even use all of their allotted sick leave. The median number of paid sick days used by San Francisco employees was three. One quarter of all workers did not use a single paid sick day. This suggests that previous cost estimates, which assumed workers would use all of their available days, are way higher than they would actually be.

Other findings from the survey, which polled 718 businesses and 1,200 workers in San Francisco: Six out of seven businesses did not report any negative effect on their profitability because of paid sick leave.

- Two-thirds of small businesses (1 to 9 employees) support paid sick leave.
- Seventy-one percent of small business did not report any negative effect on their profitability (14 percent said "Don't Know").
- Only four percent of small businesses reported that the new law worsened the predictability of employee absences, indicating that absenteeism is not an issue.

Again, everyone gets sick. But everyone can gain when families are provided the supports they need to care for themselves and for sick children and family members.

As a Representative of the families and businesses that make up the wonderful communities of Hamden and New Haven, I'm asking you again to maintain the leadership that you have shown on this issue, to make a strong recommendation to the General Assembly and the entire State of Connecticut that we support our families, that we support our local economy AND that we support paid sick days for ALL our residents. And I'm asking you to take this a step further – to go beyond the current 50 employee minimum articulated in the bill, and find ways to protect all of our neighbors by ensuring every worker has access to paid sick days.

February 25, 2011

Labor & Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591

Dear Committee

My name is Robert J Rung Jr, from [Robert J Rung Jr, DMD, LLC, General dentist, 229 Highland Ave, Waterbury, CT 06708.

I am writing to ask that you **oppose Senate Bill 913 - An Act Mandating Employers Provide Paid Sick Leave to Employees**. This bill will require Connecticut employers to provide mandatory paid sick leave for all employees. Preventing a business owner from imposing attendance and other personnel policies will be incredibly harmful and would make Connecticut less desirable for businesses to expand or move into our state. This proposal will substantially increase the cost of business and could force employers to reconsider other employee benefits that are currently offered in order to offset these costs.

I have personally had the misfortune of having to terminate, on three separate occasions, employees who have abused sick leave benefits. I feel that more employee power with regard to sick pay will breed abuse, loss of business and ultimately loss of jobs.

Preventing the passage of this bill is crucial to the future well-being of our economy and to all residents of Connecticut. Connecticut is already one of the most expensive states in the United States to conduct business and we cannot afford to lose any more jobs to other, more affordable states. The passage of this bill would **not** make Connecticut a very attractive place to do business.

Thank you for your consideration,

Robert J Rung Jr, DMD, LLC

Family Dentistry

Business Owner



Waterbury Regional Chamber  
*driving business to business*

March 1, 2011

Labor & Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591

Dear Committee,

On behalf of the 14-town region encompassed by the Waterbury Regional Chamber (over 7,000 businesses employing more than 100,000 employees) I am writing to ask that you **oppose Senate Bill 913 - An Act Mandating Employers Provide Paid Sick Leave to Employees**. This bill will require Connecticut employers to provide mandatory paid sick leave for all employees. Preventing a business owner from imposing attendance and other personnel policies will be incredibly harmful and would make Connecticut less desirable for businesses to expand or move into our state. This proposal will substantially increase the cost of business and could force employers to reconsider other employee benefits that are currently offered in order to offset these costs.

Preventing the passage of this bill is crucial to the future well-being of our economy and to all residents of Connecticut. Connecticut is already one of the most expensive states in the United States to conduct business and we cannot afford to lose any more jobs to other, more affordable states. The passage of this bill would **not** make Connecticut a very attractive place to do business.

Thank you for your consideration,

Jeffrey Rouleau  
Economic Development &  
Public Policy Manager



ISO 9001:2008 Certified

February 28, 2011

Labor & Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591

Dear Committee

My name is John F. Krin, Chief Financial Officer from American Electro Products, Inc.

I am writing to ask that you **oppose Senate Bill 913 - An Act Mandating Employers Provide Paid Sick Leave to Employees**. This bill will require Connecticut employers to provide mandatory paid sick leave for all employees. Preventing a business owner from imposing attendance and other personnel policies will be incredibly harmful and would make Connecticut less desirable for businesses to expand or move into our state. This proposal will substantially increase the cost of business and could force employers to reconsider other employee benefits that are currently offered in order to offset these costs. We employ over 200 people and to mandate sick leave would make us much less competitive in our industry. We cannot raise prices to offset this increased cost because our competition is from various other states and other places in the world where such mandates are not imposed.

Preventing the passage of this bill is crucial to the future well-being of our economy and to all residents of Connecticut. Connecticut is already one of the most expensive states in the United States to conduct business and we cannot afford to lose any more jobs to other, more affordable states. The passage of this bill would not make Connecticut a very attractive place to do business.

Thank you for your consideration,

Sincerely,

John F. Krin

Chief Financial Officer

CC: Dennis M. Burke, President



February 26, 2011

Labor & Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591

Dear Committee

My name is Mike DeVivo and I own and operate J & M Safety Consulting, LLC at 231 Park Road Waterbury CT.

I am writing to ask that you **oppose Senate Bill 913 - An Act Mandating Employers Provide Paid Sick Leave to Employees**. This bill will require Connecticut employers to provide mandatory paid sick leave for all employees. Preventing a business owner from imposing attendance and other personnel policies will be incredibly harmful and would make Connecticut less desirable for businesses to expand or move into our state. This proposal will substantially increase the cost of business and could force employers to reconsider other employee benefits that are currently offered in order to offset these costs.

Increased regulations will hamper many businesses that I provide services for. It is very likely that would have to make spending cuts in other areas such as what I provide to make up for the regulatory costs of this bill. This would reduce my income and reduce State Income Tax and Sales Tax that I generate.

As a former Human Resources Manager, I have experience with attendance abuse in paid and unpaid situations. This drives up operating costs and breeds bad feelings between employers and their employees. Those that have Collective Bargaining can bargain for paid leave in their contracts.

Preventing the passage of this bill is crucial to the future well-being of our economy and to all residents of Connecticut. Connecticut is already one of the most expensive states in the United States to conduct business and we cannot afford to lose any more jobs to other, more affordable states. The passage of this bill would **not** make Connecticut a very attractive place to do business.

Thank you for your consideration,

*Mike DeVivo*

Mike DeVivo

Member/Owner

J & M Safety Consulting, LLC



February 25, 2011

Labor & Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591

Dear Committee

My name is Benjamin Petersen, Vice President of Interim HealthCare of North Haven, Inc, a licensed / Medicare certified home health care agency with offices in North Haven and Waterbury, Connecticut.

I am writing to ask that you oppose Senate Bill 913 - An Act Mandating Employers Provide Paid Sick Leave to Employees. This bill will require Connecticut employers to provide mandatory paid sick leave for all employees. Preventing a business owner from imposing attendance and other personnel policies will be incredibly harmful and would make Connecticut less desirable for businesses to expand or move into our state. This proposal will substantially increase the cost of business and could force employers to reconsider other employee benefits that are currently offered in order to offset these costs.

Preventing the passage of this bill is crucial to the future well-being of our economy and to all residents of Connecticut. Connecticut is already one of the most expensive states in the United States to conduct business and we cannot afford to lose any more jobs to other, more affordable states. The passage of this bill would **not** make Connecticut a very attractive place to do business.

Thank you for your consideration,

*Benjamin E. Petersen*  
Benjamin E. Petersen, Vice President



February 25, 2011

Labor & Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591

Dear Committee

My name is Toni Pagano, Employee Relations Manager from MacDermid, Inc. Specialty Chemical Industry, 245 Freight Street, Waterbury, CT 06702.

I am writing to ask that you **oppose Senate Bill 913 - An Act Mandating Employers Provide Paid Sick Leave to Employees**. This bill will require Connecticut employers to provide mandatory paid sick leave for all employees. Preventing a business owner from imposing attendance and other personnel policies will be incredibly harmful and would make Connecticut less desirable for businesses to expand or move into our state. This proposal will substantially increase the cost of business and could force employers to reconsider other employee benefits that are currently offered in order to offset these costs.

Preventing the passage of this bill is crucial to the future well-being of our economy and to all residents of Connecticut. Connecticut is already one of the most expensive states in the United States to conduct business and we cannot afford to lose any more jobs to other, more affordable states. The passage of this bill would **not** make Connecticut a very attractive place to do business.

Thank you for your consideration,

A handwritten signature in black ink that reads 'Toni Pagano'.

Toni Pagano  
Employee Relations Manager

The People Who Care When People Need Care - Since 1947  
**CAMPION Ambulance Service, Inc.**  
15 West Dover Street - Waterbury - CT - 06706  
Business: (203) 753-5055 - Administration: (203) 753-9953 Fax: (203) 754-3237

February 28, 2011

State of Connecticut, Legislative Branch  
Labor and Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591

Dear Committee Members:

My name is William Campion and I am the President and CEO of Campion Ambulance Service Inc. here in Waterbury, CT.

I am writing to request that you **oppose Senate Bill 913** - An Act Mandating Employers Provide Paid Sick Leave to Employees. This bill will require employers to provide mandatory paid sick leave for all employees. Preventing a business owner or organization from implementing the proper attendance and other related personnel policies will be **incredibly harmful**, making Connecticut **extremely less desirable** for a business to either expand current jobs or to relocate to Connecticut. The substantial increase in costs will force employers to examine and reconsider the level of other employee benefits currently being offered to employees.

In addition this legislation will force organizations such as ours to carefully analyze the exact number of employees necessary to provide our service. The focus of this analysis would be to reduce not expand the number of jobs or employees within our organization such that we can remain efficient and financially strong so as to survive these challenging economic times.

**Prevention of the passage of Senate Bill 913 is critical to the future well-being of our state's economy and the residents of Connecticut.** Connecticut is already one of the most expensive states within our country in which to conduct business. **Senate Bill 913** will lead to the loss of current businesses and jobs and will prevent future business and job growth. If the overall goal of the current administration is to create job growth and business expansion, **Senate Bill 913** will not accomplish that objective.

Thank you for your consideration.

Respectfully submitted,  
*William F. Campion Jr.*  
William Campion Jr, BS, RN, EMT-P  
President, CEO

Waterbury

Torrington

Cheshire

**February 28, 2011**

**Labor & Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591**

**Dear Committee**

**I am writing to urge you oppose Senate Bill 913 - An Act Mandating Employers Provide Paid Sick Leave to Employees. This bill will require Connecticut employers to provide mandatory paid sick leave for all employees. Preventing a business owner from imposing attendance and other personnel policies will be incredibly harmful and would make Connecticut less desirable for businesses to expand or move into our state. This proposal will substantially increase the cost of business at a time when there are no margins in our work and we have several employees laid off. We will be forced to reconsider other employee benefits that are currently offered in order to offset these costs. Our employees are satisfied with our current benefits and programs. We don't want the State Of Connecticut to further intrude into our workplace.**

**Preventing the passage of this bill is crucial to the future well-being of our economy and to all residents of Connecticut. Connecticut is already one of the most expensive states in the United States to conduct business and we cannot afford to lose any more jobs to other, more affordable states. The passage of this bill would not make Connecticut a very attractive place to do business.**

**Do the right thing.**

*Robert B. Cordeau*  
President  
**C&H Electric, Inc.**  
1999 South Main St.  
Waterbury, Ct. 06706  
Office: 203-754-3231  
Fax: 203-757-3695  
Cell: 203-592-3811  
Email: [bobcordeau@chelectric.com](mailto:bobcordeau@chelectric.com)



800 Union Avenue  
Bridgeport, CT 06607  
(203) 366-3224

February 23, 2011

To Members of the Connecticut Labor Committee:

I am writing to voice my opposition to HB-913, which would require Connecticut employers to provide paid sick leave. While we understand the rationale behind this Bill, we are strongly opposed to another mandated cost as a manufacturing based employer. As a manufacturer, we already provide excellent benefits to our employees in Connecticut - we provide 3 paid sick/personal days, 11 paid holidays, 5 weeks of vacation, profit sharing and a 401K plan. We suggest that you address those employers who are taking advantage of their employees and not paying benefits, and not penalize companies that are paying good benefits.

Our business was founded in Connecticut in 1924. Today we have more employees in New York and almost as many in New Hampshire than we have in Connecticut - it may be surprising to you to know that Connecticut is our highest cost state, even higher than New York! While we have never thought about leaving Connecticut, I will tell you that our future growth will be outside of Connecticut if the State continues to along its current path.

I would much prefer to see Connecticut invest in employee training and business development instead of passing legislation that will raise our costs of doing business in the State. We want to see Connecticut grow and prosper through good jobs for all State residents, please don't drive jobs out of the State by passing the Sick Leave Bill.

Sincerely,

Newman M. Marsilius  
President

# Raymon Tool

*"Design and build tooling"*

79 Rossotto Drive  
Hamden, Connecticut 06514  
(203) 248-2199  
Fax (203) 248-7105  
E-mail raymontl@sbcglobal.net

*Labor Committee,*

SB 913

*The bill before you to mandate paid sick-time must be rejected. As a small business owner for 15 years in Connecticut , I believe this bill would put us at a huge disadvantage in competing . It is beyond comprehension that our legislature is continuously attacking business with unnecessary mandates. CT has lost many businesses in the last 20 years. Remington Products, Winchester, TI Automotive, Pratt & Whitney North Haven and now Chehire, Peter Paul, Echlin, Torrington Company etc. All of whom were my customers. Who has replaced these companies? They have all moved to another state or offshore because the cost in CT is too high. If any of our legislators had ever run a business they would know this. Unfortunately it seems we have career politicians who want to advance ideology rather than common sense policies. Please do not pass this bill as it will only speed up the decline in manufacturing and loss of jobs in CT.*

*SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees.*

*Thankyou. Owner, Paul DeRenzo*



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February 23, 2011

To Members of the Labor Committee:

From: Teresa I Odell

I work for Bicron Electronics in Canaan, CT as a Customer Service Representative.

I am writing to voice my opinion in regards to SB-913 which would require Connecticut employers to provide paid sick leave

This proposal would be putting added burden on already strapped companies I ask that you re-evaluate this proposal; the state of Connecticut cannot afford to lose anymore industry.

Please understand we all need our jobs and I for one would prefer to keep mine, we cannot keep adding labor and workplace cost at the cost of jobs themselves

Again, I ask that you that you review and reject this proposal **Connecticut needs Jobs!**

Regards,  
Teresa Odell

Teresa I Odell  
Customer Service Representative  
Bicron Electronics Company  
50 Barlow Street  
Canaan, CT 06018  
Phone (860) 824-5125 Ext 1307  
Fax (860) 824-1137  
Email [todell@bicronusa.com](mailto:todell@bicronusa.com)

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30 Air Line Drive  
Durham, CT 06422**HOBSON  
MOTZER**  
INCORPORATED

TS 16949 CERTIFIED

Fax: (860) 349-3602  
Telephone: (860) 349-1756  
www.hobsonmotzer.com

Date: 02/23/2011

To: Members of the Labor Committee

My name is Bruce Dworak. I own and operate a small manufacturing company located in Durham, CT. Hobson & Motzer is a 99 year old company specializing in precision tooling and complex custom metal stampings. We currently employ approximately 200 people.

I am writing to oppose SB 913, An act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase costs and could cause us to evaluate other benefits we provide to our employees.

If Connecticut is truly "Open for Business" then why are we trying to burden businesses that are here with additional mandates and signal to companies that might consider Connecticut as a location that we have the most unfriendly business climate in the country?

If this committee wants to signal that Connecticut is in fact open for business then you need to stand up to powerful special interests and defeat this bill.

Businesses are already struggling with skyrocketing healthcare, energy and commodity costs while trying to remain competitive in a global economy. The state is struggling with high unemployment and record deficits. This bill will make both situations worse.

I urge you to reject this proposal and work with the business community to control the cost of doing business in Connecticut. Growing our economy is the only solution to many of the problems our state faces.

Respectfully,

Bruce Dworak  
Hobson & Motzer, Inc.

ALMOST HOME ADULT DAYCARE, LLC  
52 Federal Road  
Danbury, CT 06810  
203-743-6456

February 23, 2011

TO: Members of the Labor Committee:

My name is Jim Maurer, Center Director/Owner at Almost Home Adult Daycare, located in Danbury CT.

I am writing in opposition to HB 913 which would require employers to provide sick pay. This proposal will increase our business expenses and will require me to make up the expense from another benefits area.

Called in "sickness" at the workplace often is not for genuine illness. I do not presume to decide when an employee needs time off and will work with them to meet their personal and illness needs. But to assign a set number of hours for sick pay absolutely guarantees the days will be taken! I will also have to replace the absence, often unplanned, an additional expense and inconvenience for other employees. That's ridiculous. My human service business demands I remain in CT or close. Please do not add to my expenses. I can manage my own business. I do not need CT to decide where I will spend my revenue. I know employees need to be treated fairly and I do so.

Please do not pass this proposal. Better yet work with the business community to control labor and workplace costs in CT.

Thank you,

James K. Maurer  
Center Director/Owner



Rhett Beauchemin, SPHR  
 Director, Human Resources  
 860.646.4277 X 48  
 317 Highland Street  
 Manchester, CT 06040  
 February 24, 2011

To Members of the Labor Committee.

I want to voice my strong opposition to **SB913, An Act Mandating Paid Sick Leave**. The proposal mandates that all employers with 50 or more employees provide paid sick leave to their employees in increments of one hour for every 40 hours worked. In a recessionary environment when retailers are faced with increasing costs of goods, wages, transportation, and energy, this legislation would dramatically add to a retailers cost of doing business. I am opposed to the legislation for the following reasons:

- The bill makes no distinction between full and part-time employees, and requires employers to provide all employees with paid sick leave regardless of their status.
- Store owners would incur great expense in increased payroll and benefit costs for part-time employees. The supermarket industry relies heavily on part-time employees, many of whom are in their teenage years of mentally challenged, and this would be a disincentive to do so.
- Enacting SB913 would force CT businesses to rethink the benefits they are currently offering full and part-time employees, because they will not be able to afford to offer all. This is only detrimental to the employee. We work very hard to provide a fair, flexible working environment that not only benefits our employees, but also our businesses.
- Currently CT supermarkets provide sick benefits for employees as well as other fringe benefits such as tuition reimbursement, vacation time, but not at this unreasonable level. At this rate, an employee could accrue more than a week in sick time, in addition to personal and vacation days.
- This would not only be very costly but would be extremely difficult to accommodate in terms of scheduling associates and managers.
- Accrual of time and therefore pay poses a financial liability the company must carry over from year to year.
- The bill could force employers to compensate for their increased labor costs by cutting their workforce or raising prices to consumers.
- Mandating a minimum amount of paid sick leave negatively impacts collective bargaining raising the floor for labor union negotiations.
- Due to the fact that this bill also impacts university employees, their costs will also be passed on to local businesses in the form of property tax increases
- I urge you to vote NO on SB913.

Sincerely,

Rhett Beauchemin, SPHR

---

*Nobody does it better!*

My name is David Lewis. I am a small business owner in Stamford, CT with 25 employees in the state. I also have the unique distinction of supporting over 250 small businesses in CT as their Human Resources department, including but not limited to serving as their advisor and guide on Policy and Procedure development. I am writing today to voice my opposition for Senate Bill #913. I do so on behalf of my firm and over 200 in the state.

In short to introduce such a bill at a time when the economic climate in the state is so dire is both misguided, a strong demonstration of warped priorities, and a kick in the gut at a time when so many small businesses are hurting already. With 2011 came an average increase in excess of 20% for medical premiums, this during a time when the economy is at historic lows. CT ranked at the bottom in terms of its support of Small Business. To pass such a bill would solidify the state's spot at the bottom of the list, a distinction we can ill afford. Your bill is going to eliminate jobs and hurt employers, perhaps with some benefit to those that remain employed; certainly a result not worth the trouble.

I would welcome the chance to speak with members of the committee hearing this bill to provide a very unique perspective I hope you will take me up on this sincere offer. In the interim I hope you will seriously consider voting NO for this poorly timed and positioned piece of legislation.

Sincerely,

\_\_\_\_\_  
/

David Lewis

*President*

OperationsInc - Human Resources Outsourcing and Consulting

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**PRECISION STEEL CORPORATION**

300 Broad Street • Bristol, CT 06010-6659  
Tel (860) 589-5511 Fax (860) 589-7411

February 24, 2011

Members of the Legislature's Labor and Public Employees Committee:

Re: Reject of SB 913: Mandatory Paid Time Off

For the sake of all manufacturing companies that are left in Connecticut please reject this bill

The employees of our company have negotiated personal days off with pay, 11 paid holidays, bereavement days off with pay, birthday off with pay, paid vacation days etc. This bill will just add to the cost of the company with no production to pay for these additional days off. The small manufactures are struggling and the divisions of the large corporations have left the state. Our company cannot afford additional cost without the risk of more layoff to survive.

Consider the risks of such a bill and reject this bill.

Regards,

Peter Fink  
Manager, Human Resources

HIGHLAND MFG, Inc  
5 Glen Rd  
Manchester, Ct 06040  
860-646-5142  
860-646-8420

Date: 02/23/2011

To: Members of the Legislature's Labor and Public Employees Committee

My name is Christian Queen. I own and operate a small manufacturing company located in Manchester. It is a 26 year old company specializing in the tool and die (no pun intended) industry. We currently employ 26 people.

I am writing to oppose SB 913, an act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase costs and could cause us to evaluate other benefits we provide to our employees.

If Connecticut is truly "Open for Business" then why are we trying to burden businesses that are here with additional mandates and signal to companies that might consider Connecticut as a location that we have the most unfriendly business climate in the country?

If this committee wants to signal that Connecticut is in fact open for business then you need to stand up to powerful special interests and defeat this bill.

Businesses are already struggling with skyrocketing healthcare, energy and commodity costs while trying to remain competitive in a global economy. The state is struggling with high unemployment and record deficits. This bill will make both situations worse.

I urge you to reject this proposal and work with the business community to control the cost of doing business in Connecticut. Growing our economy is the only solution to many of the problems our state faces.

Respectfully,

Christian Queen  
[cqueen@highlandmfg.com](mailto:cqueen@highlandmfg.com)

**STC** **SIROIS TOOL COMPANY, INC.**  
[www.siroistool.com](http://www.siroistool.com)

February 24, 2011

Reference: SB913 *An Act Mandating Employers Provide Paid Sick Leave to Employees*

Members of the Labor Committee:

I am writing to voice my opposition to SB913 and to ask that you NOT support it. This bill will increase costs for all businesses in Connecticut and force employers to reevaluate their hiring decisions and the other benefits they currently offer. It will also allow less flexibility for employees to negotiate for the benefits they really want.

At a time when Connecticut needs to be doing everything possible to help businesses recover and grow that last thing that should be done is to increase costs and mandated benefits.

Please reject this bill and instead work with businesses in Connecticut to provide a skilled workforce and reasonable labor cost so we can grow our employment and our businesses.

Sincerely,



Alan E. Ortner,

President

# UTILITY COMMUNICATIONS, INC.

920 Sherman Avenue • Hamden, Connecticut • 06514  
Phone: (203)287-1306 (800)443-1306 Fax: (203)248-9167

February 24, 2011

Attn: Members of Legislature's Labor & Public Employees Committee  
Subject: SB 913 – Mandatory Paid Time Off

Dear Members of the Committee:

As a small business owner, I am writing to urge you to reject SB 913 Mandatory Paid Time Off.

Every day is a struggle to keep up with the economic challenges facing my company. I do offer a competitive and fair paid sick leave to my employees, one that satisfies their needs and my budget. By forcing small companies to comply with a standardized policy you are taking control away from owners and forcing many to lay off employees, and worse case scenario, close companies.

Connecticut is already losing companies by making it hard to run a business here. Don't add to the problems by making SB 913 mandatory.

Sincerely,

Edward Abrams  
President

/bg

NEW CASTLE HOTELS  
& RESORTS

Two Corporate Drive  
Suite 154  
Shelton, Ct 06484

*Via Internet Transmittal*

February 24, 2011

To Members of the Labor Committee:

My name is Marian Barbieri and I am the Vice President of Human Resources for New Castle Hotels & Resorts with headquarters in Shelton and hotels in both Shelton and Norwalk, CT, for a total of 4 business locations in Connecticut.

I am writing to voice my opposition to SB-913, An Act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees.

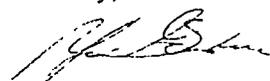
We are an industry that has many part time employees – students, working parents, seniors looking for a few hours of work, people with other jobs, etc. etc. Part-time employees allow us to give our full time employees valuable time off for rest, family time, etc. and help us fill those holes that a 24/7 business finds itself having from time to time.

As these employees do not work a lot of hours, they are expected and needed to come to work when scheduled – having them call off “sick” is not really an option we can afford. For example a smaller hotel typically has one full-time employee working 5 nights a week as a night auditor and a part timer working the other 2 nights. The part-time employee must be held accountable to coming to work so that the full-time employee receives some much needed rest, family time, etc. (and the employer avoids overtime which is an expense it cannot afford). If that employees calls off sick, they are not providing the services required and they are putting their employment relationship at risk; not having the option to term a relationship which costs the employer money and hinders employee morale would be very problematic for us and many other businesses.

We give our full-time staff all the pay and benefits we can afford – we are a good employer. Our employees have a first class medical and dental plan which we pay the vast majority of, life insurance, 401K plan and match, paid time off both vacation and sick needs, etc. but not our part time employees. Many of our part time employees have other jobs and they enjoy these types of benefits there, but not with us – we could not afford to give them these benefits as we are such a lean margin business. Mandatory sick benefits is a bad idea for my and many other businesses – we have challenges meeting our obligations as it is and mandatory sick would just force us to find other economies to minimize costs – thus negatively impacting our full time staff who give us 30 – 40 hours a week, for the benefit of those who work less often.

We urge you to reject this proposal and work with the business community labor and workplace costs in Connecticut. Thank you.

Sincerely,



Marian R. Barbieri



February 24, 2011

To Members of the Labor Committee.

My name is Susan M Bushnik, VP/HR from American Eagle Federal Credit Union. We are a financial institution doing business in Connecticut for over 75 years. We have 19 locations in Central Connecticut. Over 96,000 members belong to AEFUCU.

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees.

We utilize 25 to 30 part-time employees, representing about 10% of our workforce. This would place an additional burden on employers by requiring sick time for part-time employees.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Signed,

Susan M. Bushnik  
Vice President/Human Resources

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February 24, 2011

To Members of the Labor Committee:

My name is Karen Wasserman. I own a Seniors Helping Seniors franchise based in Waterford CT. It is a Homemaker-Companion Agency hiring retired Seniors to provide in home services for older seniors who need help to stay in their homes. We offer services in a large number of Connecticut towns including those listed in my letterhead.

I am writing to you to ask for your support in opposition to SB-913, a sick pay mandate. Our industry is trying to maintain a delicate balance between the increasing costs of doing business in the State of Connecticut and keeping rates affordable for seniors who pay out of pocket for their services. A mandate to pay sick time will result in higher payroll costs. We operate with very small profit margins and simply cannot afford to absorb this additional cost.

The approval of bill SB-913 under the current economic circumstances would further increase the cost of doing business in the State of Connecticut. It will result in lower pay and may force me to raise Senior home care rates beyond what most Seniors can afford. The ultimate result is likely to be business closure and lost jobs.

I urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Thank you.

Karen Wasserman, Managing Member  
Senior Homecare in Central CT, LLC, DBA Seniors Helping Seniors

SeniorsHelpingSeniors@ct.metrocast.net  
Phone: (860) 447-1316 Fax: (860) 910-0919  
88 Ridgewood Ave, Waterford, CT 06385



749 Hopmeadow Street  
PO Box 224, Simsbury, CT 06070  
t 860-651-7307  
f 860-651-1933  
info@simsburycoc.org  
www.simsburycoc.org

To Labor Committee, State Legislature, State of Connecticut  
From Charity Folk, Executive Director, Simsbury Chamber of Commerce  
Date February 24, 2011  
Ref. SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees

Dear Sirs,

I am in opposition to SB 913 requiring Connecticut employers to provide paid sick leave. This proposal will only increase the cost of doing business at a time when business can least afford it.

In order to keep Connecticut competitive the Labor Committee needs to focus on ways of reducing the costs of doing business which will in turn allow businesses to grow and create jobs.

I urge you to reject this bill once and for all.

*Charity Folk*



ABBOTT ASSOCIATES  
261A Pepes Farm Road • Milford, CT 06460

Phone (203) 878-2370  
Fax (203) 878-5065  
www.goabbott.com

February 23, 2011

To Members of the Labor Committee

My name is John Winfield, President of Abbott Associates, a medical device component manufacturer located in Milford, CT.

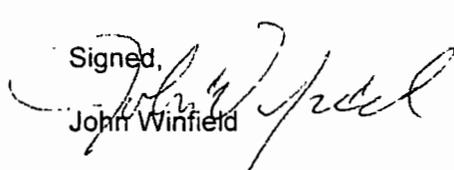
I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees

We have thirteen employees .. If I am mandated to provide paid sick leave, I would have to provide six additional days to them for time off at my expense and hardship raising my overhead an extra 2% as well as creating an extra workload to the employees remaining .

May I also remind the committee that other states do not seem to have this burden and are eager for more jobs to help their economies..

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you

Signed,

  
John Winfield



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**Human Resources Department**  
20 Bradley Park Road  
East Granby, CT 06026 USA  
Tel: 860-653-8300  
Fax: 860-653-8410  
www.r-scc.com

February 23, 2011

To Members of the Labor Committee:

I am writing to voice my opposition to SB-913 which would require Connecticut employers to provide paid sick leave to their employees. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees and reduce headcount.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Very truly yours,

Philip B. Borgia  
Director, Human Resources





To Members of the Labor Committee:

My name is Robin Imbrogno at the Human Resource Consulting Group., LLC.

I am writing to voice my opposition to Raised Bill No. 913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees and FURTHER reduce headcount.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Signed,

Robin Imbrogno  
President



February 23, 2011

To Members of the Labor Committee

My name is Rita Savoie, Human Resources Manager at U S Button Corporation in Putnam, Connecticut

I am writing to voice my opposition to SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase our business cost and could force us to reevaluate the other benefits we provide our employees.

The last few years have been difficult for us, as well as many other Connecticut companies. We laid off one-third of our employees just to stay in business in this state. We just started hiring again, but mandating paid sick leave will impact our company.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Thank you

Sincerely,

Rita Savoie  
Human Resources Manager



SPORTING GOODS, INC.

37 Industrial Park Road  
P.O. Box 236  
Essex, CT 06426  
(860) 767-9112  
FAX 767-9121  
www.goalsports.com

February 23, 2011

To: Members of the Labor Committee:

Re: SB 913, *An Act Mandating Employers Provide Paid Sick Leave to Employees*

My name is Morton Reich and I own and operate two manufacturing companies in Essex, CT: Goal Sporting Goods, Inc. which manufactures athletic field equipment and Apco Products a wire fabricator/job shop. We employ more than 37 people (down from 88 three years ago).

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees. Given the high rate of doing business in our State and notwithstanding the significant downturn in the economy coupled with the new Governor's intention to significantly raise our taxes along with the announced tax for the now bankrupt Unemployment Fund, this proposal greatly impacts our ability to remain viable.

SB-913, if enacted, will create another in a growing list of burdens that highlight Connecticut as a State that has gone beyond reasonable in the cost of doing business. Our company prides itself on building relationships based on fair and equitable standards which we apply equally to our customers, our vendors and to all those employed. Small business and the Legislatures' support of small business is the way out of economic distress. Please turn your attention to finding ways to help the small business owner and you will find success in your role as a Representative of 'ALL' of the people of Connecticut.

We urge you to reject this proposal and work with the business community to decrease government spending along with the government burdens on the private sector and to find ways to help small business control labor and workplace costs in Connecticut. I again encourage you to find ways to support and help business flourish according to the free enterprise system.

Sincerely,

A handwritten signature in cursive script that reads "Morton F. Reich".

Morton F. Reich

President



TO: LABOR COMMITTEE  
FROM: SUE O'CONNOR, PRESIDENT  
DATE: FEBRUARY 23, 2011  
RE: SB 913, AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES

The Greater Manchester Chamber of Commerce, a business organization representing roughly 500 businesses from 31 different towns in the State opposes Senate Bill 913, An Act Mandating Employers Provide Paid Sick Leave to Employees.

This proposal will substantially increase the cost of doing business and could force many of our businesses to reevaluate and reduce any other benefits they provide for their employees. Businesses need to be able to hire and retain good employees. Most businesses have sick time policies in place, along with other benefits, and most provide for their employees to the best of their ability. Benefit packages based on market conditions, competition, and overall work flow, are often discussed and negotiated privately with employees prior to being hired.

Daily, the Chamber sees businesses struggling through this unpredictable, lengthy recession, and businesses need the flexibility to be allowed to set their own policies based on their individual situations, without the State mandating their workplace policies. We heard recently from Governor Malloy that "Connecticut is open for business." If that is true, and the goal of Connecticut is to see its businesses grow, prosper, and create jobs in our State, it is the opinion of the Greater Manchester Chamber that passing bills such as SB 913 does nothing to support this goal.

The Greater Manchester Chamber of Commerce urges you to reject Senate Bill 913. Instead, the Chamber urges you to work with Connecticut's businesses to help reduce the cost of doing business in our State, to truly achieve its goal to see its businesses grow, prosper, and create jobs.

Thank you for your consideration.

Sincerely,

Sue O'Connor, President



# Warren of Stafford®

WARREN CORPORATION

AN AFFILIATE OF

*Ing. Loro Piana & Cspa*

Wednesday 23<sup>rd</sup> February 23, 2011

Members of the Labor Committee:

My name is Guy Birkhead; I am Vice President of Operations of the Warren Corporation in Stafford Springs. We manufacture high quality apparel fabric and have been in the state for well over a century.

We have managed with great difficulty to weather the various unfriendly legislation that has been targeted at our industry over many years. We are still here and fight hard every day which enables us to look after the well being of our employees. The average length of service is over 17 years, I think this alone is testament to the respect and satisfaction our employees have in response to the way we take care of them.

During 2009 we unfortunately had to lay off a significant number of our work force. The recovery we are all hoping for has yet to come. We understand the hardship the community has gone through and have played a very strong part in maintaining some stability in the area by avoiding further lay off, not cutting pay or benefits to our remaining employees, and to the contrary, not burdening them with significant additional health costs which other companies have had to do.

I am writing to voice my strong opposition to SB 913 which would require Connecticut employees to provide paid sick leave. This proposal would substantially increase our business costs and would force us to re-evaluate our present benefits with our employees which we know are appreciated.

We urge you to reject this proposal and work with the business community to control labor and work place costs in Connecticut. Surely you can see the difficult task ahead facing this state, this is a time to think of cost saving, encouraging the existing employers to remain here and not inflict additional expense on employers in what is probably the most expensive state to do business in. Thank you.

Signed

Guy M Birkhead.

645 EMMETT STREET, LLC  
QUALITY VENDING  
645 EMMETT STREET  
BRISTOL, CT 06010  
860-589-2110  
860-589-7743

TO: Members of the Legislature's Labor and Public Employees Committee  
Subject: Reject SB 913 Mandatory Paid Time Off

I URGE YOU FOR THE FOLLOWING REASONS TO REJECT THE PROPOSED BILL:

1. As a small family owned business, we struggle to employ and maintain the personnel we currently have. We are constantly having to cut and reduce hours and pays in order to just maintain jobs.
2. We have no flex room to hire additional people to cover when people are out sick or vacation.
3. It puts an a great strain on the company to provide 3 sick days pay for full time employees
4. Between the state putting more taxes on businesses and our vendors price increases (which seem to be more frequent) and the price of gas I just don't know how much more creative we can get in order to just save the employees jobs we have right now.
5. Because our business so heavily relies on fuel, with the price the way it is going we are now considering putting people on a 4 day work week.
6. Unfortunately the vending industry only has a 1-2% profit margin and if you now put this GREAT STRAIN on an already dying industry, you just might finish us off.
7. If you put this on our business we will be forced to now cut not just 1 department but ALL departments to part time status.
8. In addition to the financial harm it will do the company, our people will suffer because of the cut hours. Our Company Mission Statement is that we always want to teach and grow our employees. By approving this bill we might as well throw this mission statement out the window. You will be harming the employees quality of life.

I URGE YOU TO REJECT THIS BILL FOR THE SAKE OF ALL CONNECTICUT FAMILIES.

Sincerely,  
Michele Graziano  
Quality Vending

**DRI-AIR** INDUSTRIES, INC.  
16 THOMPSON ROAD • P.O. BOX 1020 • EAST WINDSOR, CT 06088-1020

Tel. (860) 627-5110  
Fax (860) 623-4477  
Internet <http://www.dri-air.com>  
e-mail: [sales@dri-air.com](mailto:sales@dri-air.com)

February 24, 2011

To: Members of the Legislature's Labor and Public Employees Committee

Subject: Reject SB 913: Mandatory Paid Time Off

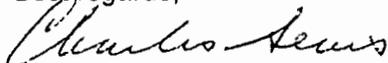
It is vitally important that SB 913 does not become law in Connecticut or any other state in the United States. We are living in a world market today and any additional mandates like this bill reduces our ability to economically compete. How can anyone justify the additional costs associated with this mandate in these difficult economic times? Why would any company decide to make Connecticut their home or expand here?

Our survey shows that most companies in Connecticut already have a sick day policy that covers a large part of the time that employees are sick. Because of the constant abuse of this policy, we have designated this policy as personal days to avoid the employee having to lie about why they are absent. In addition, we allow our employees to use vacation days for sickness if they use up their personal days.

At some point, the government has to allow us to conduct our business on a competitive basis with other businesses. If we find that additional sick days will be beneficial and economically feasible, we will make the necessary changes ourselves.

Please do not allow this bill out of your committee and make Connecticut the first state to adopt this frivolous mandate. Our fragile economy cannot absorb any additional costs imposed by our government.

Best regards,



Charles Sears  
President  
Dri-Air industries  
East Windsor, CT



Scott Crosson  
Plant Manager  
1600 West Main Street  
Willimantic, CT 06226

February 27, 2011

VIA ELECTRONIC MAIL

SB913

Dear Honorable Members of the Labor and Public Employees Committee,

I am the Plant Manager of a productive wire and cable manufacturing facility in Willimantic, Connecticut that employs over two hundred and fifty (250) associates and markets and sells its products in a competitive global business environment. I am writing to you because I am very concerned about the proposed paid sick leave bill that you are considering in the Labor Committee. For the reasons below, I urge you to vote no on this legislation.

With our union workforce, we actively negotiate with our associates over numerous terms and conditions of employment, and the collective bargaining process already gives our associates the opportunity to seek those benefits most important to them. I believe the provision of sick days has traditionally been and should continue to be a matter of negotiation between an organized labor force and its employer. As a matter of fact, we just had our most recent negotiated contract ratified (2/27/2011). Paid sick days was brought up during the negotiation process, however, it was withdrawn by the union in favor of more important issues.

In addition, our plant is a continuously operating manufacturing facility, structured along Lean manufacturing concepts. It is very costly and disruptive for employees to take unscheduled leave. To encourage the advance scheduling of time off, the company has implemented a very reasonable attendance policy and has negotiated with our associates fair and competitive wages and a leave of absence policy. Granting more paid time off in this manufacturing environment will interrupt the efficient operation of our facility, and make it more difficult for us to compete on a global basis with our products.

Not only will labor costs rise, but this legislation will result in lost productivity and increased use of temporary and day laborers. It is estimated that this legislation will cost our facility in excess of \$500,000 per year. Considering the current state of the economy, Connecticut should find ways to enable employers to be more competitive and retain jobs in this state. Unfortunately, this bill would only increase employers' costs at a time when many companies are trying to reduce costs to remain competitive. I'm sure no one in Connecticut wants to see more unemployed citizens due to government-mandated costs levied against employers.

Finally, this bill is not narrowly drafted and therefore, it could lead to abuse. The bill permits the carry over of accrued time from year to year, it permits sick days to be used for other family members, enables an associate to earn a higher rate of pay on a sick day than if he/she actually worked and it bars the employer from verifying the absences with documentation until after three consecutive days of absence. The collective bargaining process is an age-old method for resolving employee-employer disputes over wages and benefits, and I encourage you, particularly in today's economic environment, to allow this process to continue without interruption and to vote no on the paid sick leave proposal.

Very truly yours,

Scott Crosson



410 Burnham St.  
South Windsor, CT  
[www.abletool.net](http://www.abletool.net)  
860-289-2020

February 22, 2011

To: Members of the Legislature's Labor and Public Employees Committee

Subject: Reject SB 913: Mandatory Paid Time Off

I am writing this letter to urge rejection of of this proposal that mandates paid time off. I think this is an incredible overreach by government, especially at a time when small businesses, like mine and throughout the state, struggle to stay afloat in these difficult times. My vendors and customers in Connecticut are universally opposed to this bill, and we all share the same feeling that our government should be focused on cutting costs and creating an atmosphere that supports business, not mandating more regulation that will drive business out of state.

We in fact now offer 3 sick days annually for employees, but when we started five years ago did not have the luxury to do so. These decisions should be between employee & employer, and do not have anything to do with what government thinks is fair.

I implore you to focus on what will help our state, cutting our costs, making a leaner government. Take an example from Wisconsin, Private industry & their employees struggle daily for decent, livable wages, benefits, etc. Please respect that and expect government to do the same.

Regards,

Derek Bauer  
Owner  
Able Tool & Equipment  
410 Burnham St.  
South Windsor, CT 06074  
860-289-2020 Off



**DORNENBURG GROUP**  
ADVERTISING & MARKETING COMMUNICATIONS

02/25/2011

**Reject SB 913: Mandatory Paid Time Off**

CT Labor and Public Employees Committee

I am writing to request that you reject this poorly timed and wrong-headed legislation. My primary business, Dornenburg Group, has been in business for 17 years. And we have for all 17 years provided 5 paid sick days, plus paid vacation, holiday, and personal time. But I strongly oppose mandated paid sick leave. I oppose expanding the benefit to 6.5 days per year. And I strongly oppose a government mandate that will surely turn paid sick days into paid vacation days.

It is extremely difficult for smaller companies to remain competitive when employees call in sick. We have deadlines to meet and often end up calling temp workers to finish the work – paying twice for the same service. There is rarely budget these days to cover any unforeseen expense, so the extra cost comes out of profit. That profit goes for new computers, upgraded software, and other important investments – which ultimately lead to growth and hiring more employees.

I am a life-long Democrat. But my Republican friends constantly point to the CT Legislature as an example of government gone wrong. About a group of people so tone-deaf to business that they will continue to heap burdens on Connecticut businesses until there are no businesses left here. This is an issue that will either prove them right or prove them wrong. Reject SB 913. In a time when everyone will prosper by the creation of more jobs, this bill will make employees more expensive and discourage job growth. It is almost beyond belief to me that this bill could be receiving serious consideration at this time.

Jeff Dornenburg  
President



Capewell Components Company, LLC  
46 Nooks Hill Road · Cromwell, CT 06416 · USA  
P 860 635 2200 F 860 635 3631 www.capewellcorp.com

February 25, 2011

To The Labor Committee:

I am the Director of Human Resources for Capewell Components Co., LLC, a manufacturing company with operations in Cromwell and South Windsor. I am writing to you today to express our opposition of Bill SB-913, which would require our business (and other CT businesses with employees over 50) to give our hourly and non-exempt employees a minimum of 1 hour of paid time off for every 40 hours that an employee works, with provisions for carry over and/or payout at year's end. We currently grant our employees with at least a year's tenure, 40 hours of Personal time to "use or lose" at the end of the year (earned at a rate of 8 hours in the first 3 months, and 8 hours every 2 months thereafter until 40 hours is earned – upon hire). This time may be used for illness for themselves or family members, or other emergencies that may occur (like a flooded basement, etc.).

For our company (or any company) to be required to carry this over from year to year, would add cost for accounting and add liabilities to the bottom line of the business, or add costs for monetary payout. In this economic climate, that is very costly. We are trying to keep all of our employees on the payroll, with health insurance, and still be able to compete in the global market. Adding any additional costs at this time would be deadly to our current ability to remain in business, and to employ our current workforce, in total.

Other businesses would be put in the same position if they had some personal/sick time already allotted, and/or would add too much cost to their bottom line and prevent them from being able to be successful in the State of CT. Many CT small businesses employ seasonal and/or per diem workers, and this would jeopardize their ability to satisfy their customers and comply with CT law. Their only option would be to move the business out of CT or close. Please realize that we do not want to penalize any employees, we value our people highly, but a one size fits all approach, and additional mandates will only result in lowering the number of businesses in CT and therefore reduce jobs. How does that help the average worker?

We applaud you for trying to help the average working person, but please realize the ultimate result of your actions (with this bill) will only succeed in reducing jobs and consequently, the CT tax base. That is something no one in the State can afford to have happen.

Sincerely,

A handwritten signature in cursive script that reads "Lois A. Krause".

Lois A. Krause  
Director of Human Resources

*Hartford CPL Co-Op, Inc.*376 Ledyard Street  
Hartford, CT 06114

Phone: (860) 296-5636

Fax: (860) 296-5751

February 24, 2011

Re: SB 913, *An Act Mandating Employers Provide Paid Sick Leave to Employees*

Dear State Labor Committee,

I am concerned you don't understand how these paid sick days will be used. If people were truly sick 6.5 days a year then I might see a justification for such legislation. However sick or not these days will be used, at a cost to my company of \$100K per year.

Let me give you a real life example. The Hartford CPL offers 10 paid vacation days per year to its employees. We have not provided sick days as part of our Paid Time Off (PTO) benefit to this point.

In April of 2009, we expanded holiday pay to cover more holidays and we gave every employee 1 paid personal day. Ideally the personal day was to be used for doctor's visits or an employee's sick day. Within the first 30 days after our PTO policy change, 50% of my workforce (65 employees) used that day. Do you think they all were sick or had doctor's visits? That put a huge strain on our company. These were unscheduled days off and we now had to bring in other employees who would normally be off, to cover for these employees. That led to an increase in our paid O/T, etc.

Unfortunately, I'll have to lay off 4-5 people the day this legislation passes to cover the increased cost. Further, I have had discussions during Chamber of Commerce meetings recently, where other companies plan to follow suit. Not the right time to add more unemployed workers, especially when both the Connecticut and Federal Unemployment funds are already bankrupt.

Sincerely,  
David Place  
GM/CFO  
Hartford CPL Co-Op, Inc.  
Hartford Co 06114



Established  
1895

Andover • Cheshire • East Granby • Ellington • East Granby • East Hampton • Essex • Hartland • Middlefield • Middletown • Portland • Westbrook

March 1, 2011

Labor and Public Employees Committee  
Room 3800, Legislative Office Building  
Hartford, CT 06106

To: Members of the Legislature's Labor and Public Employees Committee

Subject: SB 913: An Act Mandating Employers Provide Paid Sick Leave to Employees

We are writing to you today on behalf of the Legislative Committee, the Board of Directors and the entire membership of the Middlesex County Chamber of Commerce. The reason for our letter is to express opposition to SB 913, which would require Connecticut employers of 50 or more hourly and non-exempt workers to give a minimum of 1 hour paid time off for every 40 hours an employee works. Our membership believes that this bill represents a blanket approach that will negatively affect economic growth in Connecticut at the worst possible time.

The Middlesex Chamber is a dynamic business organization with over 2,350 members that employ over 50,000 people. Our membership ranges from Fortune 500 companies to local micro businesses and each one of these businesses has a unique relationship with its employees. This paid sick leave proposal will undoubtedly make companies think twice about adding more jobs and will further increase already high costs when we need to be exploring ways to do just the opposite. In essence, mandating paid sick leave is a flawed "one size fits all" approach that the members of the Middlesex Chamber urge you to reject.

In closing, we would like to reiterate our opposition to Senate Bill 913. The members of our Chamber look forward to working with the General Assembly as we collectively deal with very challenging times. Thank you for the opportunity to be on the record.

Sincerely,

Rich Carella  
Co Chair  
Legislative Committee

Rick Parmelee  
Co Chair  
Legislative Committee

393 Main Street, Middletown, CT 06457-3309 • 860-347-6924 • Fax 860-346-1043  
<http://www.middlesexchamber.com> • Email: [info@middlesexchamber.com](mailto:info@middlesexchamber.com)

Awards: Governor's Award for Responsible Social Involvement, President's White House Citation for Private Sector Initiative,  
U.S. Government's Labor/Ethnic American Award, Connecticut Small Business Advocate Award, Vision 2000 Excellence Award,  
NAACP Business Award



**Engineering Services &  
Products Company**

**To: Members of the Legislature's Labor and Public Employees Committee**

**Subject: Reject SB 913: Mandatory Paid Time Off**

My name is Sherri Helget, Human Resources Manager at Engineering Services & Products company in South Windsor, CT.

I am writing to voice my opposition to SB-63, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Signed,

Sherri Helget  
Human Resources Manager



PO BOX 7331  
 PROSPECT CT 06712  
 mail  
 34 WATERBURY ROAD  
 PROSPECT CT 06712  
 offices  
 203.758.3506 voice  
 203.758.0111 fax  
 gil@gilfoundation.com  
 www.gilfoundation.com

February 24, 2011

Members of the Legislature's Labor and Public Employees Committee

RE: **Reject SB 913: Mandatory paid Time Off**

Dear Members:

My name is Joseph Mascia and I am the Executive Director of GIL Foundation, Incorporated. GIL is a private, 501(c)(3) nonprofit organization providing comprehensive supports and services to community residents with developmental disabilities in Connecticut since 1985. GIL is a long-standing member of the Connecticut Association of Nonprofits.

I have been following Bill SB 913 and would like to strongly advise all Committee Members to reject this proposal. An act *mandating* employers to provide paid sick leave to their employees will be damaging to our nonprofit operations. This legislation if passed would dictate what an organization must do without the history, context, and financial position of the agency. GIL, like other organizations conducting business in tough economic times have moved to a *paid time off bank system* in an effort to better recruit and retain quality workers. This method of accruing time off has become a widely used strategy nationally with both employee and employer returns. A WorldatWork research report, *Paid Time Off Programs and Practices*, highlights key benchmarks regarding paid-time-off (PTO) practices in the U.S.:

- A majority offer paid time off as a key employee benefit when attracting new employees.
- A vast majority of employers (all organizations with a PTO bank system and 87 percent with a traditional system) provide paid sick leave already.
- The average number of paid sick days in a traditional system is 9. PTO bank systems do not distinguish between vacation and sick time thus allowing more access to sick time.

Therefore our policies already promote less restrictive paid time off and places fewer burdens upon managers to staff for unprepared absences. In fact, our policies do not limit needed sick time, but actually averts the need to force employees to use "sick time" as a substitute for other earned time. The result is that sick time is more liberally imbedded in time off banks and utilized as needed – when an individual is not well and must take time off due to illness. In short, the major benefit for the employer is that people are less likely to call in sick unless they really are (because they won't want to sacrifice a vacation day), which means you're less likely to get stuck shorthanded for needed coverage.

If SB 913 was successfully passed it would place undue hardship on many employers like GIL Foundation requiring 24-hour care and services for individuals with developmental needs. GIL would be forced to remove the successful paid time off bank system, reverting back to old systems of time off accrual, hindering progress in recruiting and retention of valuable employees.

Sincerely,

*Joseph A Mascia*

Joseph A Mascia  
 Executive Director  
[mascia@gilfoundation.com](mailto:mascia@gilfoundation.com)

## Tender Living Care, Inc.

Homemakers • Companions  
117 New London Tpke.  
Glastonbury, CT 06033

February 24, 2011

To Members of the Labor Committee:

My name is Karen Soule. I am the Vice President of Tender Living Care, Inc., a Homemaker-Companion Agency for the Elderly in Glastonbury, Connecticut. I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. These are very difficult times for our business. Insurance rates for Tender Living Care, Inc. increased by 30% this year; the minimum wage was raised by 3.125% as of January 1, 2010 and the requirement for participants of the Home Care Program for Elders to pay 6% of the cost of their services has resulted in a considerable number of clients dropping out of the program with the subsequent reduction in income.

As a provider for the Home Care Program for Elders, we are being reimbursed at very low rates (some rates are lower than when we started participating in the program in 1993). The last increase of 2.9% took place almost 4 years ago. In the meantime minimum wages were up by 7.28% and the cost of living increased by more than 8.5%. The approval of bill SB-913 under the current economic circumstances would only further increase the cost of doing business in the State of Connecticut. Furthermore, it will result in no pay raises, discontinuance of benefits, such as medical insurance, and may even increase the unemployment rate as we will be forced to freeze hiring and may have to discontinue current positions.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Respectfully,

Karen J. Soule  
Vice President  
Tender Living Care, Inc.





Manufacturers  
of  
Aluminum Extrusions  
Architural Products

75 LEEDER HILL DRIVE, P.O. BOX 4275  
HAMDEN CONN 06514  
TEL (203-288-8484)  
FAX (203-248-4484)

February 28, 2011

To the members of the Labor Committee

My name is Howard Goldfarb; I am the president of Leed Himmel Industries located in Hamden. We have been a Connecticut Company for 100 years.

I am writing to express my disbelief that in this economy you are considering the SB-91s3 which will provide paid sick days at the rate of 1 hours pay for every 40 worked. Connecticut, and for that matter most of the Nation's companies are still suffering from a near total collapse of the economy. Our business has fallen to less than one half of the volume from as recently as 2 years ago. And has not come back

We had a normal employment level of about 100 employees. Currently we have laid off or not replaced about 40 employees.

If this proposal is enacted the estimated cost to our company would be approximately \$104,000.00 annually. At the present time we are no longer profitable, and the prognosis is more of the same. How do you expect Connecticut companies to expend additional benefits when we are already struggling to maintain the ones we currently have.

It should also be noted that no other state requires such payments. That just continues the uncompetitive situation, which we have in Connecticut. Simply put our competitors do not have this cost. Proposal such as this continue to make Connecticut a difficult place to do business..

I also question how we are to keep our employees from being sick an additional 52 hours per year. Doesn't this sound like an additional paid vacation?

If this and any other such bills, are allowed to pass there will not be any Manufacturing jobs left in Connecticut.

I urge you to reject this concept and not bring it up again.

Leed Himmel Ind, Inc.  
*Howard Goldfarb*  
Howard Goldfarb  
President



**Evans Associates**  
Environmental Consulting, Incorporated

February 24, 2011

To: Connecticut State Legislature's Labor and Public Employees Committee

RE: SB 913, An Act Mandating Employers to Provide Paid Sick Leave to Their Employees

I have operated a small consulting firm in Connecticut since 1988, and am writing to you to voice my opposition to SB 913. As a small business owner with fewer than ten employees, I have prided myself in creating a work environment where my employees are treated with respect and compensated at a very competitive rate. That compensation package includes ten paid holidays and two personal days each year, in addition to paid vacation time of at least one week (up to three weeks for employees who have been with the company for ten years or more). While I do not pay employees for "sick time" per se, I have a policy, which is made clear to them when they apply for employment, of paying them if they become seriously ill or are unable to work for a period of more than a few days. Not surprisingly, this situation has only arisen a handful of times over the 23 years that I have been in business, and I have never gotten any complaints from my employees. No one has to sneak around if they want or need time off, and I never have to wonder whether they are really sick or when they will be back to work.

One of the benefits of being a small business owner is being able to create a work environment that is flexible and responsive to the individual needs of my employees. Mandating paid sick leave for small businesses eliminates some of that flexibility and puts an additional financial burden on the business owner. Given the current economic climate, passing a bill such as SB 913 would move me one step closer to closing the doors and going back to being a private consultant, effectively eliminating five jobs and adding to the unemployment rolls. It seems ill advised to put more of a financial burden on small businesses as we are just beginning to recover, and that is exactly what this bill would do.

Thank you for your consideration of my comments.

Sincerely,  
EVANS ASSOCIATES ENVIRONMENTAL CONSULTING, INC.

Beth Evans  
President

205 Amy Road  
Bridgman, CT 06574  
Tel 203 393 0690  
Fax 203 393 0126



## Orange Research Inc.

140 Cascade Boulevard, Milford, Connecticut 06460  
 203 877-5657 800 989-5657 Fax: 203 783-9546  
 www.orangeresearch.com

February 24, 2011

Labor Committee  
 Legislative Office Building  
 Hartford, CT 06106-1591

Re: Senate Bill 913 – An Act Mandating Employers to Provide Paid Sick Leave to Employees

Dear Labor Committee:

My name is Paul Hoffman and I am the President and Owner of Orange Research, Inc., a manufacturing company located in Milford, Connecticut.

I strongly urge you to oppose Senate Bill 913 – An Act Mandating Employers to Provide Paid Sick Leave to Employees.

The mantra in Hartford is "How do we create jobs?" If we continue to propose and pass bills like SB 913 and other similar legislation and mandates, Connecticut will continue to lose companies and create an even more unfriendly business climate. Connecticut is already one of the most expensive states in the United States in which to conduct business and we cannot afford to lose more jobs.

SB 913 will make Connecticut the first and only state in the nation to mandate paid sick leave. What business would want to move into Connecticut with this kind of mindset in Hartford?

We are a small manufacturer and due to a poor economy and job losses, we do not have a "bench" to draw on. We need and want our employees at work, as much as possible, and, to use their paid sick time for true illnesses. Therefore, we reward people at the end of each year for unused paid sick time, in addition to paid personal time. They appreciate and love this benefit, especially since the payout comes right before the holidays!

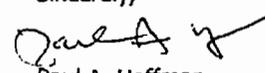
SB 913 allows up to 40 hours of accrued sick time to be carried over into the following year. This goes against our need and policy to reward people for not taking unnecessary time off. If SB 913 passes, it will make us rethink our policies to the detriment of our employees who will, inevitably, wind up with fewer benefits.

Passage of SB 913 adds another reason Connecticut is one of the most expensive and "business unfriendly" states to do business in.

We cannot continue to make doing business in Connecticut harder and more expensive, because we lose our ability to create jobs and improve our economy for all residents of Connecticut.

Please oppose passage of SB 913 in the name of creating jobs in Connecticut.

Sincerely,

  
 Paul A. Hoffman,  
 President & Owner



*"the differential pressure people"*



February 24, 2011

RE: Reject SB913: Mandatory Paid Time Off

Dear Members of the Legislature's Labor and Public Employees Committee,

My name is Dianne Veley and I am writing to you today on behalf of my employer, The Siemon Company located in Watertown.

We are a family owned business which began in 1903 in Bridgeport and moved to Watertown in the 1950's. We employ over 290 people in Connecticut and an additional 440 people globally. We have deep roots in the community and have no plans to leave Connecticut for another domestic location. However, we find ourselves in a frustrating position of frequently having to write to our state legislators about opposing legislation which is detrimental to our ability to competitively compete in a global environment and to continue to employ Connecticut residents.

I am writing today to voice my opposition to SB-913, which would require Connecticut employers to provide mandatory paid time off. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees. While I can appreciate the economic benefit that this bill may provide to individual employees, I believe that it is shortsighted in providing the most economically responsible business environment for all employees. If Connecticut businesses are forced to offer such mandated benefits, we will be forced to make changes to our overall benefit offerings and staffing needs which would have a far bigger impact on the individual employees than what this bill would provide to them on its own.

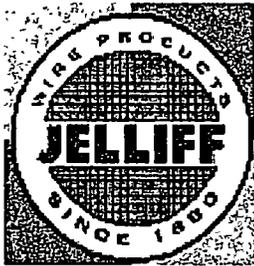
I urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Sincerely,

  
Dianne R. Veley  
Global Human Resources Manager  
The Siemon Company

cc: Carl N. Siemon, President, The Siemon Company

The Siemon Company  
101 Siemon Company Drive  
Watertown, CT 06795-0400  
Tel: 860 945 4200  
[www.siemon.com](http://www.siemon.com)

**C.O. JELLIFF CORPORATION**

P.O. Box 758 • 354 Pequot Avenue

**SOUTHPORT, CT 06890 - 0758**

National (800) 243-0052 • CT (203) 259-1615

Fax: (203) 255-7908 • [www.jelliff.com](http://www.jelliff.com)e-mail: [jelliff@jelliff.net](mailto:jelliff@jelliff.net)

February 24, 2011

**To:** Members of the Legislature's Labor and Public Employees Committee  
**Subject:** Reject SB 913: Mandatory Paid Time Off

We are very upset over the possibility of requiring paid time off for our employees. It's just one more cost that we must contend with as we try to be competitive in the global marketplace. Connecticut is one of the more costly states to operate a business and now you are adding onto the burden. Should this bill pass and become law, it will be one more reason why we should move out of the state and consolidate our resources into our facility in North Carolina. After operating in Connecticut for over 130 years, this could be the last straw.

Sincerely,

*Rand Glucroft*

Rand Glucroft, VP

# Amphenol

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**Spectra-Strip Operations**  
P.O. Box 4340  
720 Sherman Avenue  
Hamden, CT 06514  
Tel (203) 281-3200  
Fax (203) 281-5872  
HTTP: //www.spectra-strip.amphenol.com

*Spectra-Strip Cable  
ISO 9001 Certified*

Date: February 24, 2011

To: Members of the Legislatures Labor and Employees Committee

From: Mike Carbray

Subject: REJECT SB913: Mandatory Time Off

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I am strongly opposed to SB913 for mandatory time off.

If this bill is passed, it will lead to increased labor costs and reduced efficiency.

Currently our employees can use vacation time to get paid for sick days or time off to take care of sick family members.

Adding mandatory time off on top of paid vacation will significantly increase our labor costs.

I am the General Manager of a manufacturing company with 93 employees.

The cost of doing business in Connecticut puts us at a major disadvantage to most states that do not have this policy.

If enacted, this bill will make it harder to manage our business and will add cost to an already high cost structure.

**WE CAN NOT AFFORD IT!**

With major increases in health care, materials and transportation we are getting killed with cost increases.

I urge you to REJECT SB913 to save jobs in Connecticut.

Mike Carbray  
General Manager  
Amphenol Spectra-Strip  
720 Sherman Ave.  
Hamden, Ct 06492



**WALTER**  
**Surface Technologies™**

February 24, 2011

To: Members of the Legislature's Labor and Public Employees Committee

Subject: Reject SB 913: Mandatory Paid Time Off

My name is Teresa Morrison, Human Resources Manager at J Walter Inc., a distributor of mechanical and environmental solutions products, located at 810 Day Hill Road, Windsor, CT 06095.

I am writing to voice my opposition to SB 913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees. At a time when businesses are struggling to remain competitive and maintain their work forces, this proposal does not make good business sense.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Sincerely,

*Teresa Morrison*  
Teresa Morrison



February 24, 2011

To: Members of the Labor Committee

My name is Sharon Grimm, Director of Personnel at Forecast International Inc, 22 Commerce Rd, Newtown, CT 06470.

I am writing to voice my strong opposition to SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees

I urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Sincerely,

Sharon Grimm  
Director of Personnel  
Forecast International Inc

ASHCROFT INC.

Sheila Nevins  
Director, Human Resources

250 East Main Street

Stratford, CT 06614

USA

Tel 203-376-0612

Fax 203-385-0330

sheila.nevins@ashcroft.com

www.ashcroftinc.com

February 24, 2011

To: Members of the Legislature's Labor and Public Employees Committee

Subject: Reject SB 913: Mandatory Paid Time Off

I am writing this letter to urge you to reject SB 913: Mandatory Paid Time Off because in my opinion, it is harmful to Connecticut jobs and business.

I am Human Resources Director at Ashcroft Inc, a manufacturer located in Stratford, CT. We employ over 400 people in Connecticut and are very proud of the fair and comprehensive benefits and compensation we provide to our employees. Many of our employees are covered by a Collective Bargaining Agreement that was fairly negotiated to provide comfortable wages and benefits that protect our workers and assure our ability to remain competitive. Mandating additional paid sick leave beyond what was negotiated puts our Company at serious financial risk and forces us and other similar businesses to reevaluate our business location and force a reduction in our employment.

We have a long history in Connecticut. Our business was founded in 1851. We are dedicated to the town of Stratford and the Bridgeport region. We have many very long service employees, who rely on us for steady employment year after year. We would have no choice but to reduce employment and other valued benefits in order to pay for such an expensive mandated benefit.

The state government and elected officials' continued failure to understand the competitive US and global business environment and failure to enact legislation that will help grow business and employment is a serious problem.

Once again, I urge you to reject SB913.

Sincerely,



Sheila Nevins

ASHCROFT

HEISE

WILLY

WEKSLER



4 Armstrong Park Rd  
Shelton, CT 06484

t 203-924-7000  
f 203-944-1618

sales@telliris.com  
www.telliris.com

February 23, 2011

Dear Members of the Legislature's Labor and Public Employees Committee,

We at DAC Systems / Telliris based in Shelton would like to inform you it is a mistake to institute a new regulation requiring mandatory paid time off.

As it stands, the cost of doing business and the cost of living in Connecticut is exceptionally high compared with other regions in the U.S. This is a major factor in many businesses large and small moving out of the state to regions which are more attractive.

SB 913 would require additional recordkeeping and for a subset of employers result in a higher labor cost.

We also recommend against the recent healthcare changes in Connecticut. What are needed are changes to reduce the cost of living and reduce the cost of doing business in the state.

If Connecticut increases taxes, this will make the state even less attractive to live in and work.

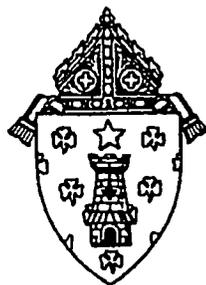
Connecticut's projected population growth which is 6th lowest in the nation may fall further if the current unfavorable situation continues, or is worsened such as by increasing the cost of doing business (such as increased regulation) and increasing the cost of living (such as increased taxes).

There are only 5 states with a projected population growth from 1995 to 2025 lower than Connecticut. If we continue to mishandle the overall economic situation in the state, we should plan for a negative population growth.

Please do what you can to stop these unfavorable changes.

Sincerely,  
Mark Nickson

203-924-7000 ext 4374  
mnickson@dacsystems.com



Diocese of Norwich

## St. Joseph Living Center

14 Club Road  
Windham, Connecticut 06280  
(860) 456-1107

February 25, 2011

TO: Members of the Legislature's Labor and Public Employees Committee  
SUBJECT: Reject SB 913: Mandatory Paid Time Off

I am the Administrator of Saint Joseph Living Center, located in Windham, CT. We are a 120 bed, not-for-profit short term rehabilitation and long term care facility, employing approximately 200 staff members. As a health care provider, we clearly understand the importance of not having sick employees report to the workplace. However, in this business climate, I cannot support SB 913 for mandatory paid time off.

Our employees working over twenty (20) hours per week receive sick time, pro-rated for the number of hours they work. A forty (40) hour per week employee receives 12 days (96) hours of sick time yearly. We also have many per diem employees, without regularly scheduled hours. Many of these individuals choose to work per diem for their personal commitments. Other employees choose a no benefit option for a higher rate of pay. Passage of this bill would necessitate a potential change to our benefits program, which may adversely impact the staff that this bill is seeking to assist. In calculating the potential economic cost to extend this requirement to our entire workforce, I estimate the cost to be an additional \$16,000.00 per year.

As I am sure you are aware, the long term care industry has not received a Medicaid increase for several years. This year's budget proposal includes a provision for an increase to the Provider Tax for nursing homes. While I realize the concept behind this proposed legislation is important, now is not the time to place additional economic requirements on an already struggling industry.

I respectfully request that you reconsider SB 913 and urge you to vote against passage of this legislation.

Sincerely,

Lynn Iverson  
Administrator



North America Headquarters  
60 Woodlawn Street  
West Hartford CT 06110  
860 233 6251  
Fax 860 232 0596  
www.legrand.us

February 25, 2011

**To:** Members of the Legislature's Labor and Public Employees Committee

**Subject:** Reject SB 913. Mandatory Paid Time Off

I recently became aware of SB 913, an act mandating employers to provide paid sick leave to their employees at a minimum of one hour for every 40 hours worked by their employees.

I strongly urge you to reject SB 913 because it is harmful to the Legrand businesses in Connecticut. It would significantly increase our labor costs and make our business less competitive with those in other states

Currently, we have the flexibility to develop benefits based on our business needs and still remain competitive in the market. SB 913 would force us to look at other areas that we can reduce costs in order to provide the mandatory paid time off. It will greatly hinder our ability to grow and to continue to create jobs in the state of Connecticut.

Regards,

A handwritten signature in cursive script that reads 'Halsey Cook'.

Halsey Cook

President

Electrical Wiring Systems



North America Headquarters  
60 Woodlawn Street  
West Hartford CT 06110  
860 233 6251  
Fax 860 232 0596  
www.legrand.us

February 25, 2011

**To:** Members of the Legislature's Labor and Public Employees Committee

**Subject:** Reject SB 913: Mandatory Paid Time Off

I recently became aware of SB 913, an act mandating employers to provide paid sick leave to their employees at a minimum of one hour for every 40 hours worked by their employees.

I strongly urge you to reject SB 913 because it is harmful to the Legrand businesses in Connecticut. It would significantly increase our labor costs and make our business less competitive with those in other states.

Currently, we have the flexibility to develop benefits based on our business needs and still remain competitive in the market. SB 913 would force us to look at other areas that we can reduce costs in order to provide the mandatory paid time off. It will greatly hinder our ability to grow and to continue to create jobs in the state of Connecticut

Regards,



Philip LeRoux

Senior Vice President

Human Resources



North America Headquarters  
60 Woodlawn Street  
West Hartford CT 06110  
860 233.6251  
Fax 860 232 0596  
www.legrand.us

February 25, 2011

**To:** Members of the Legislature's Labor and Public Employees Committee

**Subject:** Reject SB 913: Mandatory Paid Time Off

I recently became aware of SB 913, an act mandating employers to provide paid sick leave to their employees at a minimum of one hour for every 40 hours worked by their employees.

I strongly urge you to reject SB 913 because it is harmful to the Legrand businesses in Connecticut. It would significantly increase our labor costs and make our business less competitive with those in other states

Currently, we have the flexibility to develop benefits based on our business needs and still remain competitive in the market. SB 913 would force us to look at other areas that we can reduce costs in order to provide the mandatory paid time off. It will greatly hinder our ability to grow and to continue to create jobs in the state of Connecticut.

Regards,

A handwritten signature in cursive script that reads 'Judy A. Travers'.

Judy Travers

Director, Human Resources

**WHITCRAFT LLC**

SHEET METAL FABRICATION &amp; MACHINING FOR THE AEROSPACE INDUSTRY



2/25/2011

Re SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees

Dear Committee.

I am the Chief Executive Officer of Whitcraft LLC. We are an aerospace manufacturer headquartered in northeast Connecticut with wholly owned subsidiaries in Plainville and Bloomfield. We employ approximately 400 associates in the state of Connecticut.

Whitcraft prides itself in offering our associates competitive wages, a generous benefits package, paid time off, significant training and career growth opportunities. In doing so, we have positioned ourselves to be an employer of choice and continue to remain successful in this highly competitive market. Please visit our website at [www.whitcraft.com](http://www.whitcraft.com) to learn more about us.

Whitcraft and its subsidiaries operate in a worldwide market and we see an increasing emphasis on the part of our customers to move work to low cost countries. We have been criticized by some of our largest customers as being too "Connecticut centric" but we have invested a tremendous amount in our workforce and collectively we have been able to compete globally. To allow our company to continue to operate successfully and to ensure our continued growth in Connecticut in the future, we need you to oppose this bill. This proposal will substantially increase our costs and will force our company to reevaluate the many other benefits we offer our employees if we are to remain competitive.

At least once a month, I am contacted by a business development agency from another state offering generous packages to relocate our operations. I was born and raised in Connecticut and I have a vested interest in seeing Connecticut grow and prosper. Our company has avoided the fate of most of the manufacturing companies in my old home town of New Britain, and if the state legislature is serious about its desire to see an expansion of high skill/high wage jobs in the state, I am confident that they will oppose this bill.

Thank you for your time and attention.

Sincerely,

Colin H Cooper, CEO  
Whitcraft LLC

76 County Road  
P. O. Box 128  
Eastford, CT 06242  
Phone (860) 974-0786 Fax (860) 974-3705

**American Metal Crafters LLC**  
**695 High Street**  
**Middletown, CT 06457**  
**(860)343-1960 Fax(860)343-1965**

February 25, 2011

To Members of the Labor Committee:

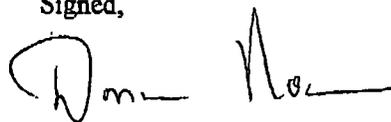
My name is Donna Noonan, managing member at American Metal Crafters LLC a metal box manufacturer in Middletown, CT.

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees.

We need to cut costs not increase them. Connecticut is broke; we don't need another cost added. We are already competing with products from Mexico at a reduced rate of 30% to 35%. The last thing we need to do is drive more people out of business.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Signed,



Donna Noonan  
Managing Member  
American Metal Crafters LLC

**Carolyn Adams' Country Barn  
352 Main Street  
Durham, CT 06422  
(860)349-1737**

February 25, 2011

To Members of the Labor Committee:

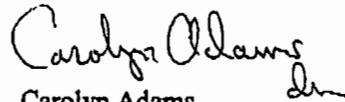
My name is Carolyn Adams, owner of Carolyn Adams' Country Barn a retail furniture store in Durham, CT.

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees.

We need to cut costs not increase them. Connecticut businesses are having financial trouble as it is due to the recession. The last thing we need is more costs. If you increase the cost of businesses it could force myself and others to also reevaluate the number of employees we have.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Signed,



Carolyn Adams  
Owner  
Carolyn Adams' Country Barn



# LACEY

MANUFACTURING COMPANY, LLC

A Subsidiary of Precision Engineered Products, LLC



February 26, 2011

Labor Committee,

I'm a manager at Lacey Manufacturing in Bridgeport. I'm writing this letter to ask you to please reject SB 913, Act Mandating Employer's to provide Paid Sick Leave to their employees. I do not understand our state legislators they continue to state we require more jobs in our state which I agree with, but then they will support a bill that makes it more difficult for businesses like ours to compete with other states and countries around the world. We need to make the state of Connecticut more competitive and business friendly. I'm sure if you ask most people including all the unemployed in our state this question they would prefer a job rather than more or less sick time. Please reject this bill and leave this matter between the employer and employee not the state.

Thank you  
Kevin Kolka



North America Headquarters  
60 Woodlawn Street  
West Hartford CT 06110  
860 233 6251  
Fax 860 232 0596  
www.legrand.us

February 25, 2011

**To:** Members of the Legislature's Labor and Public Employees Committee

**Subject:** Reject SB 913: Mandatory Paid Time Off

I recently became aware of SB 913, an act mandating employers to provide paid sick leave to their employees at a minimum of one hour for every 40 hours worked by their employees.

I strongly urge you to reject SB 913 because it is harmful to the Legrand businesses in Connecticut. It would significantly increase our labor costs and make our business less competitive with those in other states.

Currently, we have the flexibility to develop benefits based on our business needs and still remain competitive in the market. SB 913 would force us to look at other areas that we can reduce costs in order to provide the mandatory paid time off. It will greatly hinder our ability to grow and to continue to create jobs in the state of Connecticut.

Regards,

A handwritten signature in black ink, appearing to read 'Brian DiBella', written over a horizontal line.

Brian DiBella

Vice President & General Manager

# Thompson Brands LLC

---



February 24, 2011

Labor Committee  
State of Connecticut

Dear Senator.

RE: OPPOSITION TO MANDATORY SICK LEAVE SB 913

I urge you to please reject this proposal. The businesses in our state simply cannot afford any additional burdens at this time. Instead, please work with the business community to control the labor and workplace costs in Connecticut

Please stop the spending and work with the businesses to help keep jobs in our state, not eliminate them.

Very truly yours,

Gene Dunkin

Chief Executive Officer

Date: 02/23/2011

To: Members of the Labor Committee

My name is Frank Giangrave. I own and operate Frasal Tool, a small manufacturing company located in Newington, CT . We are a 40 year old company specializing in special tooling for various industries. We currently employ approximately 10 people.

I am writing to oppose SB 913, An act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase costs and could cause us to evaluate other benefits we provide to our employees.

Every year, new manufacturing businesses emerge across the world providing their cheap labor costs creating our inability to raise our prices. One would expect as costs rise a business should have the ability to pass its costs on to their customers, but to the contrary this is not the case for, at least, small manufacturing companies. I cannot place enough emphasis on how our business continues to become increasingly more difficult to run year after year. If Connecticut is truly "Open for Business" then why are we trying to burden businesses that are here with additional mandates and signal to companies that might consider Connecticut as a location that we have the most unfriendly business climate in the country?

If this committee wants to signal that Connecticut is in fact open for business then you need to stand up to powerful special interests and defeat this bill.

Businesses are already struggling with skyrocketing healthcare, energy and commodity costs while trying to remain competitive in a global economy. The state is struggling with high unemployment and record deficits. This bill will make both situations worse.

I urge you to reject this proposal and work with the business community to control the cost of doing business in Connecticut. Growing our economy is the only solution to many of the problems our state faces.

Respectfully,

Frank Giangrave

EN ISO 134 1  
ISO 9001

February 25, 2011

Labor and Public Employees Committee  
Room 3800, Legislative Office Building  
Hartford, CT 06106

RE: Reject SB 913, Mandatory Paid Time Off

Dear Committee Members:

We are writing to voice our opposition to the proposed Bill SB 913 that will require many Connecticut employers to provide paid sick leave to their employees. This proposal will substantially increase our costs and administrative burdens in handling this for our employees.

Acme Monaco Corporation is a manufacturing company headquartered in New Britain. We currently employ over 150 people at this facility and want to continue to grow our operation here in Connecticut. If this bill passes, it will be detrimental to companies such as ourselves. It will force us to look outside of Connecticut and perhaps outside of the United States for manufacturing operations. We certainly would rather keep people employed in our wonderful state of Connecticut.

We urge you to reject this measure and work with the business community to control costs in Connecticut.

Sincerely,

**ACME MONACO CORPORATION**

  
Rebecca Karabin-Ahern  
Executive Vice President

  
Thomas Sebastian  
President

RKA:sah  
CC:file



February 24, 2011

To: Members of the Legislature's Labor and Public Employees Committee

Subject: Reject SB 913: Mandatory Paid Time Off

I am Michael Paine, president of Paine's Incorporated, a recycling and rubbish removal company located in East Granby. We provide service to over 70,000 homes and more than 1000 businesses each week.

I am taking the time to write you to tell you regarding an insidious bill SB 913 and the damage that it will cause our business, our customers and the fragile state economy.

This bill mandates that a business will give a specific benefit to their employees regardless of whether we choose to provide or believe that they should get or the employees want that benefit. The roll of government has not been and should not be regulating or mandating what benefits any business must provide our employees.

You do have a legal right to pass laws like this but it is morally wrong to require a business to provide a specific benefit. At Paine's we constantly talk to and listen to the feedback from our employees about what their need and wants are. I have not heard a request from our employees for this alleged benefit. We have heard them ask for a number of benefits many of which we have worked into our benefit package and others which we did not because of the cost to provide that benefit would have required taking some other benefit away to fund another benefit

There is no magic here at Paine's we have a pool of money to allocate and you must work within those boundaries or else you will be out of business. This new mandate will not help our employees or our customers. Why are you doing this?

Stop this madness and stop adding new bills that raise the cost to businesses that will then be passed on to the few remaining residents in the state.

Just say no!!!!

*Michael R. Paine, Sr.*  
Michael R. Paine Sr.

Paine's Incorporated

Paine's Inc., Recycling & Rubbish Removal  
P O Box 307 ■ Simsbury, CT 06070 ■ 860-844-3000 / 860-489-7504 ■ Fax 860-844-3008  
office@painesinc.com



151 Carr Ave - Newington, Ct. 06111 - Voice 860-667-0664 - Fax 860-667-2351

HOME MAKER  
& COMPANION  
SERVICES  
FOR THE  
ELDERLY

February 25, 2011

To Members of the Labor Committee:

My name is Maria M. Garrido-Cauley, I am the Human Resources Manager at Rainbow Home Services, LLC. a Homemaker-Companion Agency for the Elderly in Newington, Connecticut. I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave.

These are very difficult times for all businesses. Insurance rates have increase as much as 19% in the last year; minimum wage was raised by 3.125% as of January 1, 2010 and requirements that participants of the Home Care Program for Elders pay 6% of the cost of their services, has resulted in a considerable amount of clients dropping out of the program with the subsequent reduction in income.

As a provider for the Home Care Program for Elders, we are being reimbursed at very low rates, currently 30 % below market value, of which last increase of 2.9% took place in 2007. Since the last rate increase over three years ago, we have incurred higher minimum wage mandates, higher worker compensation insurance rates, increased unemployment contributions, and numerous other cost increases.

The approval of SB-913 under the current economic circumstances would only further increase the cost of doing business in the State of Connecticut. As an employer we appreciate our employees, we understand that they are our biggest asset; however we cannot afford to absorb the cost of this mandate due to the inability to pass this cost on to our clients.

The passing of this bill will hurt the same employees it is trying to protect by resulting in the reduction or discontinuance of current benefits, raises and/ or bonuses and may even increase the unemployment rate as we will be forced to freeze hiring and may have to discontinue current positions.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Maria M. Garrido-Cauley  
Rainbow Home Services, LLC

**Alcoa Power and Propulsion**

Alcoa Howmet  
Winsted Industrial Park  
145 Price Road  
Winsted, CT 06098  
Tel 860-379-3314  
Fax 860-379-4239

February 25, 2010

To Whom It May Concern:

As a concerned employer in the Northwest corner of Connecticut we are writing to share how we feel about the proposed bill SB913. Passing this bill will not only affect how we operate, the ability to be productive and meet customer demands, but would increase our labor costs.

Connecticut is already feeling the effects from new regulations, tax increases and people moving out of the state. Our unemployment rate is at an all time high of 9%. If we continue to impose costly mandates like the proposed bill SB913 it will potential close down more businesses.

We highly urge you to reconsider the impact this has on jobs and families. Please vote No.

Thank you.

*Christine Goodall*

HR Generalist



PO Box 8270  
10 Gear Drive  
Manchester, CT 06042  
Phone: (860) 649-4591  
FAX (860) 643-7619

Date: 02/23/2011

To: Members of the Labor Committee

My name is Thomas Peck. I manage the Operations for ABA-PGT, Inc, a small manufacturing company located in Manchester, CT. We are a 67 year old company specializing in the production of high precision injection mold tooling and precision plastics injection molding of motion control components. We currently employ approximately 100 people.

I am writing to oppose SB 913, an act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase costs and could cause us to evaluate other benefits we provide to our employees.

If Connecticut is truly "Open for Business" then why are we trying to burden businesses that are here with additional mandates and signal to companies that might consider Connecticut as a location that we have the most unfriendly business climate in the country?

If this committee wants to signal that Connecticut is in fact open for business then you need to stand up to powerful special interests and defeat this bill.

Businesses are already struggling with skyrocketing healthcare, energy and commodity costs while trying to remain competitive in a global economy. The state is struggling with high unemployment and record deficits. This bill will make both situations worse.

I urge you to reject this proposal and work with the business community to control the cost of doing business in Connecticut. Growing our economy is the only solution to many of the problems our state faces.

Respectfully,

Thomas R. Peck  
Director of Operations  
ABA-PGT, Inc

ABA TOOL & DIE - PLASTICS GEARING TECHNOLOGY  
MOLDING DIES - INJECTION MOLDING - PLASTIC GEARS



acsys

February 24, 2011

To Members of the Legislature's Labor and Public Employees Committee

**Subject:** Reject SB 913 Mandatory Paid Time Off

Dear Committee Members,

As a small business owner I am voicing my acute concern regarding the Senate Bill to mandate sick paid time off. It is important to note that our employees are foremost priority – our culture, benefits and work life balance are included as the main business thrusts in our strategy. And, we enjoy a very competitive paid time off benefit for all full time and part time employees. However, a mandate would vastly restrict and limit me from making prudent business decisions if needed.

The mandate's implications, if approved, would force me to reduce other expenses and benefits such as employee contributions to health care, compensation, health and wellness programs, vacation pay and could even result in a reduction in force as well as minimizing our growth. Additionally, as an experienced business owner I believe that any legislative mandates that restrict business practices in turn restrict the overall health of the economy.

I urge you to dismiss SB 913 as it would impact my business in a down turn economy.

Best Regards,

Stan Valencis  
President  
[stanv@acsysinteractive.com](mailto:stanv@acsysinteractive.com)  
[acsysinteractive.com](http://acsysinteractive.com)

acsysinteractive  
connecticut | new york | boston



February 25, 2011

Connecticut General Assembly  
Labor Committee  
State Capitol  
Hartford, CT 06100

Re: Opposition to SB913, Mandatory Paid Time Off

Members of the Labor Committee:

Sterling Engineering Corporation in Barkhamsted is a 70-year old, family-owned, woman-owned contract machine shop, employing 65 highly-skilled, highly-paid people in a very competitive environment. We produce large, complex machined components for the aerospace and power generation industries. I have served as President and 20-year board member of the Connecticut Tooling & Machining Association, as a Trustee and as Chairman of the Education Committee for the National Tooling and Machining Association, and as a charter member and board member of Connecticut's Aerospace Components Manufacturers.

I am writing to oppose SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase costs and could have the unintended effect of causing us to evaluate other benefits we provide to our employees, and, I believe, kill existing jobs.

If Connecticut is truly "Open for Business" then why would we burden Connecticut employers with additional mandates? Why tell companies which might consider locating in Connecticut that we have the most unfriendly business climate in the country?

If this committee wants to signal that Connecticut is really open for business, then please stand up to powerful special interests and defeat this bill.

Businesses are already struggling with skyrocketing healthcare, energy and commodity costs while trying to remain competitive in a global economy. The state is struggling with high unemployment and record deficits. This bill will make both situations worse.

I urge you to reject this proposal and work with the business community to control the cost of doing business in Connecticut. Growing our economy and creating jobs are the only solutions to many of the problems our state faces.

Respectfully,

John N. Lavieri  
President

JNL dt



## Flat Dog LLC

Hedwig A Palliardi  
Owner

68-D Sycamore Lane  
Manchester, CT 06040  
860-533-9009

Attn: Labor Committee

RE: SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees

I'm not for State Mandatory. It should be up to the individual company to set policies. It's all about freedom. We make that choose, not the state. It would force my company to cut back on other benefits to make up the costs. I implore you to reject this bill. Thank you.

Hedwig Palliardi



February 25, 2011

To: Members of the Legislature's Labor and Public Employees Committee  
Subject: Reject SB 913: Mandatory Paid Time Off

I am writing to express my strong opposition to the State Legislature mandating sick leave for businesses in Connecticut. I have owned and operated a small business for over 30 years. Throughout this time, I have consistently offered a generous benefit package, including paid time off for all regular employees scheduled to work over 30 hours per week.

First, I feel such a mandate would encumber my business, which is struggling due to the continuing poor economic climate. I need to concentrate all my efforts on generating new commissions and serving the clients we have so as to protect as many jobs as possible. With unemployment taxes expected to increase and other possible new taxes being considered, I feel that small businesses have been stretched too thin and continue to receive the brunt of discussions about additional mandates and taxes.

Second, I currently provide employees with a time off package that does not stipulate that they must use the time for sick leave only. This serves two purposes: 1. Employees do not lose time if they remain healthy, and 2. Employees are not required to share health issues with us, which helps them maintain their privacy. In the past, we have offered separate sick, vacation and personal leaves, but stopped that practice several years ago. Our employees are very happy with the current policy. In addition, our policy does not end at the close of each calendar year. Time is accrued on a monthly basis to a specific cap, based on length of service. Once the employee reaches the cap, they do not accrue additional time if they do not use it. They start accruing again after they use some time. Employees do not find themselves at the end of each year scrambling to use or lose time and this also works better for the firm's productivity.

If we are forced to provide a specific amount of time for sick leave alone, we will have to rewrite our entire leave policy, segregating time specifically for sick leave. I do not believe this will be well received by staff as those who rarely use time for purposes of illness (themselves or family members) will, in effect, lose paid time off.

I strongly believe that it is time for government to stop punishing small businesses indiscriminately. While it is possible that there are firms in Connecticut who do not provide sufficient benefits to their staff, it is insulting to be treated as if all businesses behave in this manner.

Yours truly,

David L. Friar, AIA  
President  
Friar Associates inc  
DLF ff

February 25, 2011

Attn: Members of the Legislature's Labor and Public Employees Committee  
Subject: Reject SB 913: Mandatory Paid Time Off

To Whom It May Concern:

We are writing to urge you to reject SB 913 as it would be harmful to our business directly. We are a small company with only 25 employees and opening this bill to small business would indeed be detrimental. Given the recent economy crisis, we have been negatively affected and endured several rounds of layoffs. We are now operating with critically low staff, with all doing more across their respective job functions. Some of our employees are also working outside of their job functions to cover those areas that suffered with the layoff.

Mandating our company to offer a certain amount of paid time off would not give our company the freedom to create our own policy, one which we deem fit to the demands of our business. Critical work (specifically within our clinical laboratory that processes patient samples) would suffer as employees would be given a significant amount of time to take, decreasing the productivity levels.

Small businesses operate under a unique business model, often making it necessary for employees to take on additional responsibilities. Given their unique circumstances, they should be offered unique consideration. Although larger business might be able to afford the additional time off coming for a mandate such as this, small businesses would not.

We strongly urge you to allow small businesses such as ours to have the freedom to create their own Paid Time Off policies, working within their own capabilities as a company. An unreserved bill such as this would not allow small companies this freedom, negatively impacting their productivity levels, further adding to the crisis we have already endured.

Thank you for your consideration and we look forward to the rejection of SB 913.

Sincerely,

Renee Maher  
Associate Manager, HR

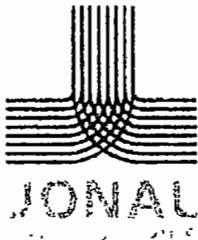
**ik<sup>15</sup> nisys**

MEMBER OF THE COLLEGE TRUST

Five Science Park  
New Haven, Connecticut 06511

Phone 203 776 0791  
Fax 203 776 0795  
www.ikonisys.com

February 25, 2011



To: Members of the Legislature's Labor and Public Employees Committee  
Subject: Reject SB 913: Mandatory Paid Time Off

Dear Members of the Labor and Public Employees Committee:

Jonal Laboratories, Inc., provides paid sick time to our employees, in spite of this fact I am opposed to a mandate related to Mandatory Paid Time Off. I am concerned that our statewide economic future will be jeopardized. Connecticut is losing our young and talented employees to regions of the country that have a more rational economic strategy and vibrant economic culture, as such our future is at risk.

This is not about looking at the past but it is about looking at the future and I am distressed to say that it doesn't look all that promising for most manufacturing. The costs to do business in this state only allows high margin manufacturers to survive and prosper, as a result we are only attractive to a very specific type of firm.

If you are serious about making Connecticut an attractive place to do business for all types of manufacturers and businesses you will do your best to lower total costs to operate in Connecticut. Without action along these lines, Connecticut will continue to lag the rest of the country in job creation and economic growth.

Sincerely,

Marc Nemeth, President  
Jonal Laboratories, Inc.





245 Shaker Rd, PO Box 1134  
Enfield, CT 06083

Tel: (800) 247-4313  
(860) 763-0896  
Fax: (860) 763-7465

February 23, 2011

*REJECT - SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees*

To Members of the Labor Committee;

Camerota Truck Parts employs over 100 people in Connecticut (Enfield and North Haven) and a total of 150 throughout the Northeast. For 50 years we have been in the business of remanufacturing truck driveline components, truck service and parts distribution.

I am writing to voice my opposition to the Paid Sick Leave Mandate. This proposal will substantially increase our business costs. If our costs increase due to benefits mandates, such as Paid Sick Leave, our business will be forced to cutback existing benefits that are offered to employees, cost shift expenses to employees, suspend hiring plans, potentially layoff workers and reduce work schedules at our Connecticut remanufacturing and distribution facilities.

No other states have such a mandate. This proposal will make Connecticut a higher cost, less competitive and ultimately less desirable place to do business. Employers need the flexibility to design and negotiate their own benefit and time off policies that best meet the needs of their employees, business demands and productivity needs. **Connecticut business do not need a one-size fits all policy that will make them less competitive.** We need lawmakers to encourage growth and enhance our ability to expand and create jobs in Connecticut.

This is NOT the time to make it harder to do business in Connecticut.

I urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Sincerely,  
CAMEROTA TRUCK PARTS

Leo Fournier, Controller  
lfournier@camerota.com



245 Shaker Rd, PO Box 1134  
 Enfield, CT 06083

Tel: (800) 247-4313  
 (860) 763-0896  
 Fax: (860) 763-7465

February 23, 2011

*REJECT - SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees*

To Members of the Labor Committee,

My family business employs over 100 people in Connecticut (Enfield and North Haven) and a total of 150 throughout the Northeast. For 50 years we have been in the business of remanufacturing truck driveline components, truck service and parts distribution.

As a business owner, I am writing to voice my opposition to the Paid Sick Leave Mandate. This proposal will substantially increase our business costs. If our costs increase due to benefits mandates, such as Paid Sick Leave, our business will be forced to cost shift this expense to our employees, cutback existing benefits that are offered to employees and possibly affect staffing plans at our Connecticut remanufacturing and distribution facilities.

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This is NOT the time to make it harder to do business in Connecticut.

I urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Sincerely,  
 CAMEROTA TRUCK PARTS

  
 Salvatore Camerota, Sec / Treasurer  
 salcamerota@camerota.com



245 Shaker Rd, PO Box 1134  
Enfield, CT 06083

Tel: (800) 247-4313  
(860) 763-0896  
Fax: (860) 763-7465

February 23, 2011

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I am writing to voice my opposition to the Paid Sick Leave Mandate (Senate Bill SB-63). This proposal will substantially increase our business costs. With the high costs of energy, workers comp taxes and health insurance – it is already challenging to operate in Connecticut. If our costs increase due to benefits mandates, such as Paid Sick Leave, our business will be forced to cost shift this expense to our employees and cutback existing benefits that are offered to employees.

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Especially in the current economic climate, adding more mandated business costs is another obstacle to job creation and economic stability and growth.

This is NOT the time to make it harder to do business in Connecticut.

I urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Sincerely,  
CAMEROTA TRUCK PARTS

Ken Blews  
Production Manager  
kblews@camerota.com



245 Shaker Rd, PO Box 1134  
 Enfield, CT 06083

Tel: (800) 247-4313  
 (860) 763-0896  
 Fax: (860) 763-7465

February 23, 2011

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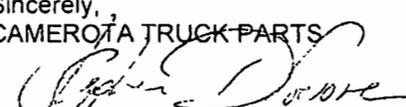
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Especially in the current economic climate, adding more mandated business costs is another obstacle to job creation and economic stability and growth.

This is NOT the time to make it harder to do business in Connecticut.

I urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Sincerely,  
 CAMEROTA TRUCK PARTS

  
 Steve Dufresne  
 Parts Manager  
 sdufresne@camerota.com



245 Shaker Rd, PO Box 1134  
 Enfield, CT 06083

Tel: (800) 247-4313  
 (860) 763-0896  
 Fax: (860) 763-7465

February 23, 2011

*REJECT - SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees*

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I am writing to voice my opposition to the Paid Sick Leave Mandate. This proposal will substantially increase our business costs. If our costs increase due to benefits mandates, such as Paid Sick Leave, our business will be forced to cutback existing benefits that are offered to employees, cost shift expenses to employees, suspend hiring plans, potentially layoff workers and reduce work schedules at our Connecticut remanufacturing and distribution facilities.

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This is NOT the time to make it harder to do business in Connecticut.

I urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Sincerely,  
 CAMEROTA TRUCK PARTS

  
 Jacki Tamayo  
 Human Resources Director  
 jtamayo@camerota.com



232 Branford Road  
North Branford, CT 06471  
203-481-9460  
Fax: 203-481-9641  
www.cantonracingproducts.com

February 25, 2011

To Members of the Labor Committee:

Re: An Act Mandating Employer's Provide Paid Sick Leave to Employees

My name is Jennifer O'Brien, my brother and I are the 2<sup>nd</sup> generation of our family involved in our business, Canton Racing Products. My father started Canton Racing Products in our garage in Guilford, CT almost 30 years ago. We are a manufacturer of high performance automotive accessories, currently located on North Branford, CT.

It is not easy to be a small business owner, especially a manufacturer here in Connecticut. I am very discouraged to hear about SB-913, which would require employers to provide paid sick leave. As a small business I have been doing everything I can to keep my business going and my employees employed during these tough economic times. This bill would negatively impact my ability to both hire new employees and to provide wage increases and additional benefits to my current employees.

A very rough estimate of what this bill might cost my business annually exceeds \$20,000, although I anticipate it would exceed that amount. What could a small business owner do with \$20,000? She could replace her old tube-bending machine with a newer more efficient model. Or she could hire an additional sales person to try and grow her sales numbers. When her health insurance comes up for renewal this spring she could continue to share 50% of the premium costs with her employees. Best of all she could finally give pay increases to her employees that have weathered this bad economic storm with her for the past 3 years. The fear that this mandate could become law makes her rethink all these plans because she cannot afford to do both.

I am urging you to reject this proposal. During these financially difficult times I would hope that legislature would be working towards reducing the costs of doing business in Connecticut and making it easier to do business owners to hire more people and grow their businesses rather than making it more difficult to stay in business.

Thank you for your time and attention to this matter.

Signed,

Jennifer O'Brien  
19 Davis Farm Road  
Clinton, CT 06413

1300 Main st Watertown CT 06795



To the members of the Legislature's Labor and public Employees Committee,  
Subject Reject SB 913: Mandatory Paid Time off.

My name is George Tsioflikis and I'm a small business owner in CT. Please reject SB 913, I feel if this bill passes, it will force me to lay off employees as there's no way I would be able to afford to keep them. It is getting more and more difficult to do business in CT, we already have one of the highest min wage laws in the country coupled with the uncertainty in the economy and high prices on commodities I feel SB 913 will be the final nail in the coffin for many small businesses.

Thank you for your consideration  
George Tsioflikis

P.O. BOX 1167  
425 SULLIVAN AVENUE  
SOUTH WINDSOR, CT 06074  
PHONE: 860.291.8755  
FAX: 860.291.8757  
www.designprofessionalsinc.com



**CIVIL & TRAFFIC ENGINEERS / PLANNERS / SURVEYORS / GIS ANALYSTS / LANDSCAPE ARCHITECTS**  
*Serving Connecticut, Massachusetts, & Rhode Island*

February 23, 2011

To Whom It May Concern:

SB913

Mandatory Time Off

Please consider this correspondence as a statement of opposition to the mandatory time off bill.

We are a small business in Connecticut that has suffered greatly during the last three years. We offer sick time and vacation time on a yearly basis. We have offered this since our incorporation 25 years ago and do not need a state mandate.

As the only accountant/ clerk/ record keeper in the office, I can't imagine trying to keep track of time off based upon hours worked. Truthfully, it's as ridiculous as asking for payments in quarters rather than checks.

Why not consider rewarding companies who offer health insurance and wellness benefits? Research has proven that good nutrition (eating fruits and vegetables rather than chips), exercising daily, getting enough sleep, washing your hands, and not smoking keep you healthy. Lets reward companies who sponsor wellness plans.

Sincerely,

Anne A. DeMallie  
Comptroller



February 26, 2011

Labor & Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591

Dear Committee

My name is Mike DeVivo and I own and operate J & M Safety Consulting, LLC at 231 Park Road Waterbury CT

I am writing to ask that you **oppose Senate Bill 913** - An Act Mandating Employers Provide Paid Sick Leave to Employees. This bill will require Connecticut employers to provide mandatory paid sick leave for all employees. Preventing a business owner from imposing attendance and other personnel policies will be incredibly harmful and would make Connecticut less desirable for businesses to expand or move into our state. This proposal will substantially increase the cost of business and could force employers to reconsider other employee benefits that are currently offered in order to offset these costs

Increased regulations will hamper many businesses that I provide services for. It is very likely that would have to make spending cuts in other areas such as what I provide to make up for the regulatory costs of this bill. This would reduce my income and reduce State Income Tax and Sales Tax that I generate.

As a former Human Resources Manager, I have experience with attendance abuse in paid and unpaid situations. This drives up operating costs and breeds bad feelings between employers and their employees. Those that have Collective Bargaining can bargain for paid leave in their contracts.

Preventing the passage of this bill is crucial to the future well-being of our economy and to all residents of Connecticut. Connecticut is already one of the most expensive states in the United States to conduct business and we cannot afford to lose any more jobs to other, more affordable states. The passage of this bill would **not** make Connecticut a very attractive place to do business

Thank you for your consideration,

*Mike DeVivo*

Mike DeVivo

Member/Owner

J & M Safety Consulting, LLC

THE  
LAURELROCK  
COMPANY



DICKSON DEMARCHE Landscape Architects

24 February 2011

To: Members of the Legislature's Labor and Public Employees Committee

Subject: Reject SB 913 Mandatory Paid Time Off

Hi, my name's Ashley Cipollone and I am the Human Resource Administrator for The LaurelRock Company, a medium sized landscape design, build and maintenance firm in Fairfield County. Passing SB 913 will be detrimental to The LaurelRock Company, and more importantly to all Connecticut jobs and business.

Our business will be harmed because it will be operating at a competitive disadvantage as compared to smaller businesses (since they will not be affected by this mandate initially).

The passing of this act would also cause employer costs to rise significantly. We would be forced to pay employees for additional unbillable. In a seasonal business, such as ours, we truly value each hour our employees work. If they are being paid for not working we cannot maintain profits. We will be operating at a loss.

This will cause us to eliminate certain positions in the company leaving people jobless; freeze raises for employees even if they deserve and are entitled to one; eliminate other forms of paid time off (vacation, personal time, vacations); reduce company contribution to insurance and pension plans. In turn, this will cause employees to leave The LaurelRock Company and look for employment elsewhere.

Most of all, this act seems extremely unnecessary. Many businesses offer paid time off and non-paid leave time, and many employees within companies don't use all of their paid time off as it is. What is the reason for offering more paid time off in the future if it's not all being utilized today?

It is my hope that this act was originated to help employees of Connecticut. I believe by mandating this act you will accomplish exactly the opposite.

Thank you for your time.

Ashley Cipollone  
Human Resource Administrator



Dear Members of the Labor Committee,

SB913

I want to lend my strong opposition to eh Sick Leave bill.

As VP for Kelly Services in Central CT I meet with both large and small business owners regularly to discuss their staffing needs, and support their flexible business models. So many of them have trimmed costs to the bare bone, and are still fighting to earn a profit, and to stay in CT.

As the wife of a small business owner, I also urge you to deny this legislation, that will cause him to have to cut other worker benefits or healthcare contributions he makes now on their behalf.

The last thing we need is another State mandated regulation that takes away individual business flexibility. Despite the appearance of working to serve the many, it could be a much greater disservice to the citizens and taxpayers in CT should it influence more businesses to move elsewhere.

Please stop proposing ideas that drive up business costs. Allow business autonomy to meet and respond to employee needs as we all do to be competitive. Please do not approve the sick leave proposal.

Sincerely,

**Eileen Candels I**

**Vice President and Territory Manager, Hartford**

E-mail: [candeem@kellyservices.com](mailto:candeem@kellyservices.com)

Office: 860-674-1710 I Mobile: 860-558-5796 I Fax: 860-674-8008

76 Batterson Park, Farmington, CT 06032

[www.kellyservices.com](http://www.kellyservices.com)



To: Members of the Labor Committee

I am the president of Founders Insurance Group, Inc., an independent insurance agency employing 33 people in Connecticut.

I am writing to oppose SB 913, An act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase costs and, if passed, may cause us to reduce other benefits we provide to our employees. If Connecticut is truly "Open for Business" then why are we trying to burden businesses that are here with additional mandates and signal to companies that might consider Connecticut as a location that we have the most unfriendly business climate in the country? This mandate will just be another reason for employers to move their companies to other states.

If this committee wants to signal that Connecticut is in fact open for business then you need to stand up to powerful special interests and defeat this bill.

Businesses are already struggling with skyrocketing healthcare, energy and commodity costs while trying to remain competitive in a global economy. The state is experiencing high unemployment and record deficits. This bill will make both situations worse. **It's absolutely unbelievable that the state government would even consider such a mandate given the current economic climate!**

I urge you to reject this proposal and work with the business community to control the cost of doing business in Connecticut. Growing our economy is the only solution to many of the problems our state faces.

Respectfully,  
Dennis Dressel  
President  
Founders Insurance Group, Inc  
1300 Winsted Rd.  
Torrington, CT 06790



# Import Tire Co.

SB913

To all concerned:

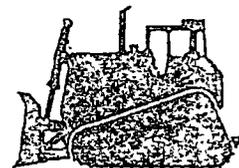
I am an owner of a small business and it is important to me that this state is competitive to prospective new businesses that might come to Connecticut. This bill would definitely hinder that.

What needs to be remembered; good companies take care of good employees.

Frank Bernstein  
Import Tire Co.



GENERAL SITE DEVELOPMENT  
EXCAVATION • ROAD & UTILITY CONSTRUCTION



2-24-11

To: Labor Committee Members:

Re: SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees

WE ARE A SEASONAL FAMILY OWNED CONSTRUCTION BUSINESS AND HAVE OPERATED OUT OF SIMSBURY SINCE 1972.

MANY OF OUR 90+ FULL TIME EMPLOYEES WORK FROM MARCH 15TH THROUGH DECEMBER EACH YEAR. WE OFFER VACATION TIME AS A STANDARD BENEFIT TO OUR EMPLOYEES. IF HOURLY EMPLOYEES MUST TAKE TIME OFF, PERSONAL DAY OR SICK DAY, THEN THEY CAN (AT THEIR CHOICE) TAKE THE TIME WITHOUT PAY OR TAKE A VACATION DAY. MOST EMPLOYEES DO THIS AS MANY TAKE THEIR VACATIONS WHILE THEY ARE LAID OFF. IN ADDITION IF IT'S A PERSONAL DAY MOST GIVE US NOTICE SO WE CAN PLAN WORK ACCORDINGLY.

TO ADD PERSONAL DAYS IN OUR BUSINESS IS A COST WE SIMPLY CAN NOT AFFORD. A LOST DAY COSTS NOT ONLY WAGES BUT IF AN EMPLOYEE CALLS IN 'SICK' AT THE LAST MINUTE A CREW AND / OR PIECE OF HEAVY EQUIPMENT SITS IDLE FOR A DAY BECAUSE WE COULD NOT FIND A REPLACEMENT OPERATOR FOR THAT SPECIALIZED PIECE AT THE LAST MINUTE. THAT COULD EASILY COST THOUSANDS OF DOLLARS IN LOST REVENUE IN A SINGLE DAY, NOT TO MENTION THOSE ON THE CREW THAT MAY BE SENT HOME BECAUSE THE BACKHOE OPERATOR DECIDED TO CALL IN 'SICK'.

WE FEEL THAT IF THIS BILL IS PASSED IT WILL DEFINATELY BE ABUSED AND SOME EMPLOYEES WILL TAKE THEIR PROPORTIONED SHARE OF MONDAYS AND FRIDAYS ESPECIALLY DURING THE SUMMER MONTHS WHICH IS OUR PRIMARY PRODUCTION PERIOD. IT WOULD BE DIFFICULT TO EVEN ASK THE EMPLOYEE TO VERIFY THE REASON FOR THE LOST DAY! NO REQUIREMENT FOR EMPLOYEE ACCOUNTABILITY INVITES ABUSE.

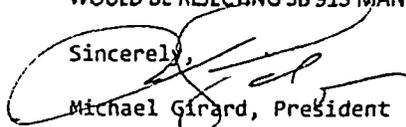
THE POTENTIAL FOR ABUSE OF THIS PROPOSED 'EMPLOYEE BENEFIT' IS REAL AND WILL COST OUR BUSINESS AS WELL AS OTHERS SERIOUS REVENUE. IT WILL RESULT IN THE LOSS OF CONTRACT BIDS DUE TO ADDED OVERHEAD COSTS THAT MAY NOT BE APPLICABLE FOR SMALLER COMPANIES, FIRMS FROM OUT OF STATE OR THOSE EMPLOYERS WHO SIMPLY DO NOT PLAY BY THE RULES.

THE STATE AND FEDERAL GOVERNMENT ALREADY MANDATE BENEFIT PACKAGES FOR ALL STATE AND MUNICIPAL CONSTRUCTION CONTRACTS THROUGH DAVIS-BACON. ADDING MANDATED SICK DAYS JUST MAKES CONNECTICUT MORE COSTLY AND DIFFICULT TO DO BUSINESS.

THIS COULD BE JUST ANOTHER NAIL IN THE COFFIN FOR CONNECTICUT BUSINESS, NOT ONLY OURS BUT ANY BUSINESS WHO OPERATES HERE OR IS CONSIDERING MOVING TO CONNECTICUT.

PLEASE ALLOW CONNECTICUT BUSINESSES TO CONTINUE TO DO BUSINESS HERE IN CONNECTICUT... A GOOD START WOULD BE REJECTING SB 913 MANDATING PAID SICK LEAVE!

Sincerely,

  
Michael Girard, President

[mgirard@simsicroft.com](mailto:mgirard@simsicroft.com)



## **METALLIZING SERVICE COMPANY, INC.**

February 28, 2011

To Members of the Labor Committee:

Subject: Paid Sick Leave SB-913

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs, will have a negative effect on our productivity and competitiveness, and could force us to reevaluate the other benefits we provide our employees.

We operate three manufacturing locations in Connecticut, with a total of over sixty employees, and we know that this bill will make it more difficult for companies to justify operating in this state. Operating a successful business is hard enough, especially in today's economic climate. Please don't make it more challenging than it already is.

If this bill passes it will be used as another example of Connecticut's anti-business environment.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Thank you.

Thomas Piquette  
Vice President/General Manager  
Metallizing Service Company



11 Cody St., Elmwood, Connecticut 06110-1902, U.S.A.  
Telephone (860) 953-1144 • Fax (860) 953-0464  
FAA Repair Station # KK1R273K

---

MSC 2: 144 South St., Elmwood, Connecticut, 06110-1902, U.S.A.

MSC 3: 20 New Park Dr. P.O. Box 8318, Berlin, CT 06037 U.S.A.

**PROFESSIONAL DRIVING***Company Incorporated**Since 1969*

---

P O. BOX 627 • 85 SCHOOL GROUND ROAD • BRANFORD, CONNECTICUT 06405

PHONE: **203 481-5517** • TOLL FREE: **1-800-344-0758** • FAX: **203 483-9537**

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February 23, 2011

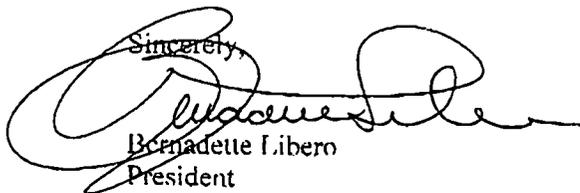
Dear Labor Committee

I would like to express my opposition to bill SB-913 Mandating Employers Provide Paid Sick Leave to Employees. This bill will substantially increase our cost of doing business in Connecticut, which is one of the States with the highest business costs

We are a small Driver Leasing Co. trying to stay alive in this horrible economy adding another mandate like SB 913 would push us over the edge.

I urge you to reject this proposal and work with the business community to control the costs of doing business in Connecticut.

Sincerely,



Bernadette Libero  
President



49 West Dudley Town Road  
Bloomfield, CT 06002  
Phone (860) 726-1204  
Fax (860) 726-1206  
[www.rddynamics.com](http://www.rddynamics.com)

February 24, 2010

To: Members of the Legislature's Labor and Public Employees Committee

Re: Reject SB 913: Mandatory Paid Time Off

We strongly urge that SB 913: Mandatory Paid Time Off be rejected. This would create an undue burden on our business. We have been growing at the rate of 10-20% per year. We built a brand new 75,000 square foot manufacturing facility less than a year ago. Our electric costs as well as tax burdens have grown exponentially. An additional payroll burden would be a stress factor that we are not sure our company could overcome. Connecticut needs businesses like ours, we added 10% to our workforce last year at a time when other companies were laying off hundreds of workers and we will add at least that much this year. If we can't afford to expand our workforce based on the additional monetary burdens the passage of this bill would cause, we wouldn't be able to meet our client's growing demands for our technology, and could potentially be unable to continue our business in Connecticut.

Sincerely,

A handwritten signature in black ink, appearing to read "G. Agrawal", is written over a horizontal line.

Giri Agrawal

President



ESTABLISHED 1944

**TRUELOVE & MACLEAN, INC.**57 CALLENDER ROAD • P.O. BOX 268, WATERTOWN, CT 06795  
TEL 860 274-9600 FAX 860 274-9733

February 23, 2011

Ct Labor Committee Members  
SB 913

Dear Labor Committee Members:

As the owner of a mid size (90 employee) manufacturing company, I wish to impress upon you the fact that manufacturers like ourselves, as well as many even larger employers, are having a very difficult time competing with companies located in lower cost areas both domestic and global. When you walk into a store today and see only Chinese imports, you can understand where the jobs that once made Connecticut a vibrant and rewarding place to live have gone.

For the past three decades Connecticut jobs and companies have been, and continue to relocate to more business friendly states and countries that welcome and support business and industry in order to gain and build tax revenue.

I urge you to vote "No" to SB913 because of the detrimental effect it will have on our state's business climate - driving more jobs out of Connecticut. In business we learn to build our customer base or we sacrifice growth and eventually die. In order to regain the vibrant economy that helped to build Connecticut, we need to attract businesses, not discourage it.

Sincerely,

  
Richard Bouffard

**Design Label**   
**Manufacturing, Incorporated**  
7 Capitol Drive East Lyme, CT 06333  
(P)860/739-6266 (P)800/666-1575 (F)860/7397659  
[www.designlabel.com](http://www.designlabel.com)

February 23, 2011

To Members of the Labor Committee:

My name Sheila Dion, HR Director at Design Label, a small printing company in East Lyme, CT.

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide sick leave. We currently do give three days of sick leave to the employees. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Thank you,

Sheila Dion



*265 Newington Avenue, New Britain, CT 06051 860)225-7600 or  
Fax# (860)223-8748*

February 24, 2011

To: Members of the Labor Committee

My name is David Arcesi. I own and operate a small manufacturing company located in New Britain. We are a 27 year old company specializing in investment castings for the aerospace industry. We currently employ 78 people.

I am writing to oppose SB 913, an act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase costs and could cause us to evaluate other benefits we provide to our employees.

If Connecticut is truly "Open for Business" then why are we trying to burden businesses that are here with additional mandates and signal to companies that might consider Connecticut as a location that we have the most unfriendly business climate in the country?

If this committee wants to signal that Connecticut is in fact open for business then you need to stand up to powerful special interests and defeat this bill.

Businesses are already struggling with skyrocketing healthcare, energy and commodity costs while trying to remain competitive in a global economy. The state is struggling with high unemployment and record deficits. This bill will make both situations worse.

I urge you to reject this proposal and work with the business community to control the cost of doing business in Connecticut. Growing our economy is the only solution to many of the problems Connecticut faces.

Respectfully,

David A. Arcesi  
President



February 28, 2011

Dear Members of the Labor and Public Employees Committee:

I am writing again today in opposition to Senate Bill 913, An Act Mandating Employers Provide Paid Sick Leave to Employees, which would require Connecticut employers to provide paid sick leave.

This proposal will substantially increase business cost to our membership and could force them to reevaluate the other benefits they provide for their employees. The Tolland County Chamber of Commerce cares about our members and wants them to be able to keep and attract good people. Most businesses already offer sick time policies, as well as other benefits. However, benefit packages based on market conditions, competition, overall work flow, are often discussed and negotiated privately with employees prior to their hire.

As businesses struggling collectively through the uncharted waters of a lengthy recession, we appreciate the flexibility of the current law which enables us to negotiate our own policies without the state creating new additional mandates. We want businesses to stay in Connecticut. However, legislation like Senate Bill 913 sends the message that some of our state government would prefer we reconsider.

We urge you to **REJECT Senate Bill 913** and work with Connecticut's employers to help reduce the cost of doing business in our state to, ultimately, create more jobs and attract other businesses.

Thank you for your consideration in this very important matter

Sincerely,



Candice L. Corcione  
Executive Director

Andover • Bolton • Columbia • Coventry • Ellington • Hebron • Mansfield  
Somers • Stafford • Tolland • Union • Vernon • Willington

**APPLIED MECHANICAL SYSTEMS, INC.**PLUMBING - HEATING - AIR CONDITIONING  
CT LIC. # P1-203743 - F1-0514 - S1-30319341 LIGHTHOUSE ROAD, WOODBURY, CT 06798  
(203) 263-2035 - FAX (203) 263-2065

February 28, 2011

To Members of the Labor Committee:

My name is Susan Grudzien, I am Vice President of Applied Mechanical Systems, Inc., a small HVAC & Plumbing contracting business located in Woodbury, CT, Which my husband, Edward and I have run since 1986.

I am, once again, a year later, writing to you today to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate other benefits we provide our employees such as health care. We are now facing a 20 percent increase in premium in order to continue providing health care as a benefit. Our business, like many others in the State, had been thriving up until the end of 2009, when we had to permanently lay-off valued employees in order to survive, and the construction industry is still extremely slow. How can a small business like ours pay an employee when they do not report to work, due to illness, when we have nothing to bill out for that day? Please ask yourselves, "where does this money come from"?

Although SB-913 is geared toward larger businesses with 50 or more employees, it will no doubt be a matter of time before it affects smaller businesses. Therefore, in order to keep unemployment down and keep our small "mom & pop" businesses going during this recession period, it is imperative that legislators understand our struggle right now when available work is so limited.

I urge you to reject this SB-913 proposal and show that you are listening to those you Represent.



Tranquility™

Mind & Body Wellness Spa  
88 NOBLE AVE MILFORD CT 06455-8777

February 27, 2011

To: Members of the Legislature's Labor and Public Employees Committee

Subject: REJECT SB 913: MANDATORY PAID TIME OFF

To Whom It May Concern:

How much harder can Connecticut make it for businesses to survive? How much more can Connecticut discourage other businesses from coming into this state? When you think of how little this state does for its highest paying taxpayers....it throws another heavy anchor our way.

Mandatory payment for sick leave? As if our labor costs are not astronomical enough ..Connecticut wants to make it even harder for businesses with mandatory sick leave payments. Will it be better for employees when they are let go because the Company cannot survive the costs of remaining open?

We urge you to VOTE AGAINST this mandate and leave it up to the employers to set their own policies within their companies. To force this added expense on employers will only lead to more unemployment as a result; to which everyone suffers.

Sincerely,

Tina DeNapoles



**Dental Associates**  
*Where Our Family Cares For Yours*

---

Date: February 25, 2010

To: The Labor Committee

Subject: reference SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees

Last year, we felt that attempting to enact this law would have been significantly detrimental to the overall business climate in the State of Connecticut and to our organization.

Today, we are beginning to see signs that the severe recession, through which we have all suffered, may be slowing improving, BUT we are by no means out of the woods yet. Connecticut already has some of the highest business tax and mandate requirements in the country, to say nothing of the new effort to raise taxes. All these things hurt businesses, especially as we try to fight our way out of the mire of the recession. What we need is a more business friendly environment and moves on the part of our state officials. There is a limit how far business can be burdened before there is a rebound which can cost our state jobs and revenue.

I ask that you do not bring this act up for a vote and, if it comes before the floor, that you vote against it.

Thank you.

Respectfully,

For the Doctors and Staff  
Thom Goracy  
Practice administrator

---

36 Padanaram Road, Danbury CT 06811  
(203) 718-5717

1 Aspetuck Avenue, New Milford CT 06776  
(860) 355-1137

11 Church Hill Road, Newtown CT 06470  
(203) 426-3891

160 Hawley Lane, Trumbull CT 06611  
(203) 380-0660

[www.dentalassociates.us](http://www.dentalassociates.us)

February 28, 2011



To Members of the Labor Committee:

My name is Michael D Garfield, President at Garfield Builders Inc. Home Remodeling Specialist and General Contractor located at 64 Route 7 North, Falls Village Ct. 06031

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees.

We currently are a small business giving our employees paid health insurance, paid holidays and paid vacation. If we are required to supply them with 50 hours of paid sick leave per year, how do we cover this cost and the other benefits we supply. We would need to reduce the benefits they already receive in order to cover this cost. It is already expensive to run a business in the State of Connecticut, this I feel is going to put some out of business and force others to move to another state. We always hear where the State of Connecticut is a friendly place to own a business, we have high business insurance cost, high workers compensation cost, high health insurance cost, a high cost of living and now we have to supply paid sick leave by State Mandate. Where is the friendly part?

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Signed,

*Michael D. Garfield*

Michael D. Garfield  
President  
Garfield Builders Inc.

64 Route 7 North  
Falls Village, CT 06031

CT# HIC.562017  
CT# NHCC.2906

Tel: (860)824-0621

Fax: (860)824-7786

[www.garfieldbuilders.com](http://www.garfieldbuilders.com)



64 Center Street  
Shelton CT 06484

To Members of the Labor Committee:

SB 913

My name is Angela S Petitti, Vice President of Gary's East Coast Service in Shelton CT.

I am writing to voice my opposition to SB-63, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to seriously consider reducing the amount of vacation time we give to our current and future employees. In particular it would be a financial nightmare to have sick time rollover to the following year. We are also concerned about the inability to set our own benefits. It takes away any advantage we may have in offering our employees a better benefit package. We currently have a competitive package relying more on paid vacation and personal time than "sick time". I would rather see incentives from the state, to small business, for offering additional paid time off, then just a mandate. A mandate would increase cost, decrease competitiveness and limit growth for small business.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Signed,

Angela S Petitti



Centrix Incorporated

770 River Road  
Shelton, Connecticut 06484  
USATEL 203 929 5582  
FAX 203 944 2872  
TOLL-FREE 800 235 5862

February 28, 2011

To Members of the Labor Committee:

I am Bill Dragan, President of Centrix, Inc., a dental manufacturing company located at 770 River Road in Shelton, CT.

I am writing to you today to strongly encourage you to oppose SB 913, the Mandatory Paid Sick Leave Bill. Centrix already provides its employees with a generous paid leave policy, as do many--if not most--Connecticut employers. This proposal WILL substantially increase our business costs and will force us to reevaluate the other benefits we provide our employees. If this bill passes, Centrix along with many other Connecticut employers will have to make some tough choices.

We already juggle both state and federally mandated regulations regarding FMLA, WC, ADA, COBRA, etc. When will we learn that placing unnecessary burdens on the employer does not necessarily achieve the desired result for the employee? How many more businesses have to close or move out of CT before we realize that employers and employees are already working effectively together for their mutual benefit, and mandates like this one jeopardize that delicate balance.

We need the autonomy to determine what paid time off policies work for our companies and our industries--for financial, competitive and productivity reasons. The resources that would be required to implement and maintain this mandate would require Centrix to cut back on our employee recognition and rewards programs, tuition reimbursement and other training and development programs, all of which we believe are more valuable to both Centrix and our employees, as well as the State of Connecticut, than mandated sick leave. I think our employees would agree!

I cannot urge you enough to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Sincerely,

William P. Dragan  
President  
Centrix, Inc.

2/28/2011

To: Members of the Legislature's Labor and Public Employees Committee  
Subject: Reject SB 913 Mandatory Paid Time Off

Please reject subject bill #SB 913 because it is harmful to Connecticut jobs and businesses

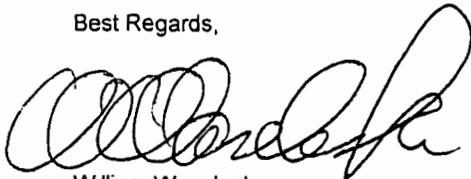
Century Spring Mfg has been in business in Connecticut for 35 years. Many of our employees already get 4- 5 weeks of paid vacation time. We run a very liberal company, and employees can use their vacation time whenever, and for whatever reason they want.

Adding paid sick leave to their already generous vacation benefit will not enhance public wellness, they already can take paid time off when they are sick.

Paid sick leave only adds another burden to an already overburdened manufacturing community.

If paid sick leave comes to fruition in this state, I will seriously consider relocating to North Carolina. It is fast becoming a growing hub for the spring manufacturing industry, as many of my suppliers and competitors have already opened facilities there ( Better Climate also !!)

Best Regards,



William Waseleski  
President

Century Spring Mfg. Co Inc  
454 Middle St  
Bristol, CT 06011-0301

CAPEWELL COMPONENTS COMPANY, LLC  
 46 Nooks Hill Road  
 Cromwell, CT 06416  
 860 635-2200 telephone ☐ 860 635-3631 fax

February 28, 2011

To Members of the Legislature's Labor and Public Employees Committee  
 Subject: Reject SB 913: Mandatory Paid Time off

My name is Pamela Brault, Benefits and Compliance Manager at Capewell Components Company LLC located at 46 Nooks Hill Road, Cromwell, CT 06416.

I am writing to voice my opposition to SB 913, which would require Connecticut employers to provide paid sick leave. Last year was a difficult year as we had two divisions of our company on CT Shared Work Program. This year's business projections seem to reflect another year of very slow growth, slower than originally budgeted for last year.

Adding paid sick leave to a business economy that is in slow(negative) growth mode has an additional negative impact on our bottom line. These additional expenses will require we re-evaluate our benefits package, which could impact our employees with a loss of benefits and extra out of pocket expenses for them. Last year when this bill came up, we estimated that it would cost our company \$188,000 00 to implement. We currently do not have a strong enough business climate to support this expense without putting our company in financial jeopardy.

For the first time in our history, our company did not give raises in December. Having weathered declining business over the past 2 years, we had to layoff in some cases, 20% of our work force. Our company had to do this in order to stop the escalation of our losses.

After one year of employment our employees receive eighty hours vacation and forty hours personal time. Prior to that they are accruing time based on a formula. Vacation and personal time are used interchangeably. In addition our hourly workers can earn up to two days extra vacation for perfect attendance to be used in the next year.

To me it is very simple: jobs or paid sick days?

I urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut, which does not currently offer a favorable environment for small businesses. Our state needs to cut spending and work hard to attract new businesses and jobs to our beloved state.

Sincerely,

*Pamela C. Brault*  
 Pamela C. Brault

Capewell Division  
 105 Nutmeg Road So  
 South Windsor, CT  
 06074

Ripley Division  
 46 Nooks Hill Road  
 Cromwell CT  
 06416

M. H. Rhodes Division  
 105 Nutmeg Road So,  
 South Windsor, CT  
 06074

Cramer Division  
 105 Nutmeg Road So  
 South Windsor CT  
 06074

Ripley Europe  
 Building 47 Second Avenue  
 The Pensnett Estate  
 Kingswinford, UK  
 DY7 6UZ

Robert Mastrianni, ATC,PT  
 Lindsey Ertel, DPT  
 Elizabeth Fisk, PT  
 Nuno Oliveira, PTA, PT  
 Heather McDonnell, PT  
 Kathleen Romania, OT R/L  
 Kathryn Bossidy, PTA  
 Vincent Quarato, DC  
 Anthony LaVorgna, DC  
 Mark Carrano, DC  
 Marc Lucente, DC  
 David Harper, ACSM H/FI

OMNI  
 Physical & Aquatic  
 Therapy Center, Inc.

February 23, 2011

To: Members of the Legislature's Labor and Public Employees Committee

Subject: Reject SB 913: Mandatory Paid Time Off

Dear Sir,

As a small business manager operating in the State of Connecticut for over 20 years I strongly URGE you to reject SB 913 because it is harmful to Connecticut jobs and businesses.

We employ both full time and part time employees and we provide health benefits and paid time off for all full time employees, however, it is a struggle every month to pay the health insurance premium and payroll taxes. The employees that choose to only work part time, for whatever personal reason they do so, understand that we simply can't afford to pay them for time off. Doing so would force us to only hire full time employees.

Again I urge you to reject SB 913 because it is harmful to Connecticut jobs and businesses.

Sincerely,

Trisha Randall

Ansonia  
 153 Main Street  
 2<sup>nd</sup> Floor  
 (203)735-2225

Branford  
 6 Business Park Dr  
 Suite 302  
 (203)488-6664

East Haven  
 205 Main Street  
 (203)467-3848

Menden  
 303 South Broad  
 (203)235-0171

Milford  
 397 Bndgeport Ave  
 (203)877-6664

New Haven  
 1 Long Wharf  
 (203)562-6664

North Haven  
 117 Washington Ave  
 (203)234-1110

North Haven  
 52 Washington Ave  
 (203)234-1110

Wallingford  
 8 Research Parkway  
 (203) 294-1998

Business Office  
 401 Bndgeport Avenue  
 Milford, CT

Tele (203)877-4787  
 Fax (203)874-5287

Government Affairs  
 State Public Policy  
 Industry Information

Partnerships  
 Trade Services  
 Retailer Services



February 23, 2011

To Members of the Labor Committee

The Connecticut Food Association which represents grocery retailers and their suppliers is **opposed to SB 913, Mandatory Paid Time Off**. The proposal mandates that all employers with 50 or more employees provide paid sick leave to their employees in increments of one hour for every 40 hours worked. In a recessionary environment when retailers are faced with increasing costs of goods, wages, transportation, and energy, this legislation would dramatically add to a retailers cost of doing business. The Association is opposed to the legislation for the following reasons

- The bill makes no distinction between full and part-time employees, and requires employers to provide all employees with paid sick leave regardless of their status.
- Store owners would incur great expense in increased payroll and benefit costs for part-time employees. The supermarket industry relies heavily on part-time employees, many of whom are in their teenage years or mentally challenged, and this bill would be a disincentive to do so.
- Enacting SB913 would force CT businesses to rethink the benefits they are currently offering full and part-time employees, because they will not be able to afford to offer all. This is only detrimental to the employee. We work very hard to provide a fair, flexible working environment that not only benefits our employees, but also our businesses.
- Currently CT supermarkets provide sick benefits for employees as well as other fringe benefits such as tuition reimbursement, vacation time, but not at this unreasonable level. At this rate, an employee could accrue more than a week in sick time, in addition to personal and vacation days.
- This would not only be very costly but would be extremely difficult to accommodate in terms of scheduling associates and managers.
- Mandating a minimum amount of paid sick leave negatively impacts collective bargaining raising the floor for labor union negotiations.
- The bill could force employers to compensate for their increased labor costs by cutting their workforce or raising prices to consumers.
- When added to the economic realities of Governor's proposed budget, mandatory paid time off only makes Connecticut's business climate worse.

The Connecticut Food Association urges you to vote **NO** on SB913

Sincerely,

Stan Sorkin, President  
 Connecticut Food Association



WWW.FAIRFIELDCTCHAMBER.COM

**Fairfield Chamber of Commerce, Inc.**

February 23, 2011

Re: SB 913 An Act Mandating Employers Provide Paid Sick Leave to Employees

Dear Members of the Labor Committee:

I represent a membership of approximately 400 mostly small business people. We work hard to ensure that our members have the best possible business climate so that they can be successful, continue to stay in business, and employ Connecticut people.

While we are sympathetic to the intent of this proposal, we fear that SB 913 will substantially increase business costs to our members and thus force them to reevaluate the other benefits they provide to their employees. Additionally, we have a problem with the word "mandate" especially as it specifies how sick time is to be accumulated, used and accrued. Most of our members have already worked out a system that benefits their employees, including sick days for employee illnesses. However, we fear that the compliance issues attached to such a bill will be disconcerting at best, and make it even more difficult for Connecticut businesses to compete—especially with the additional unfunded mandate to include allowing paid sick time to care for spouses, parents and children.

We hope that you will reconsider adopting SB 913—especially in an already very difficult business climate. Let's not add to the already jaded view with regard to Connecticut as an unfriendly business state.

Thank you for your consideration.

Sincerely,

Patricia L. Ritchie  
President and CEO  
Fairfield Chamber of Commerce



151-165 Homer St  
Waterbury, CT 06704  
t 203 753 5103  
f 203.573 9352  
TraverIDC.com

February 23, 2011

Labor and Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591

To: Members of the Labor and Public Employees Committee:  
Subject: Reject SB913: Mandatory Paid Time Off

My name is Jack Traver Jr, President of Traver IDC, a manufacturer, distributor, and electrical contractor located in Waterbury, CT. We have been doing business in Waterbury for 73 years. In addition, I recently served as President of the Smaller Manufacturers Association of Connecticut, Inc. The SMA is a trade association with about 120 members representing 6000 employees.

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal could substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees.

Many of the members of the SMA are barely keeping their heads above water. If they manage to make a profit in any given year, it is often less than 1% to the bottom line. That being said, the average manufacturing wage in CT is nearly \$70,000.00. These are the best paying jobs in the entire state and the legislature needs to do everything possible to preserve each and every one of these jobs in CT. Although the manufacturers make up 6% of the corporate population, we contribute 25% of the corporate tax revenue

The effect of this "paid sick time" bill would be devastating to the manufacturing community. Many companies would have no choice but to take other major cost cutting measures to remain solvent and since employee expenses constitute nearly 2/3 of most companies' overhead, the cuts would most likely be in this area. At Traver IDC, we care very much about all of our employees and we believe that is why our current average length of employment is more than 15 years. We do everything we possibly can for all of our employees, and we can't afford to have mandates from Hartford forcing us to do more than we already do.

Preventing the passage of this bill is crucial to the future well-being of our economy and to all residents of Connecticut. Connecticut is already one of the most expensive states in the United States to conduct business and we cannot afford to lose any more jobs to other, more affordable states. The last thing we need right now is to be the 1<sup>st</sup> state in the nation to mandate paid time off. The passage of this bill would **not** make Connecticut a very attractive place to do business.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.

Thank you.

Very Truly Yours,

Jack Traver, Jr  
President

everything electrical

motor repair   contracting   supply   engineering   energy conservation

# Mahony Fittings, Inc.

(860) 627-0196

Fax: (860) 627-0198

VALVES, PIPE, TUBE, FITTINGS



February 23, 2011

To: Members of the Labor Committee

I am writing (once again) to voice my extreme displeasure to SB-913, An Act Mandating Employers Provide Paid Sick Leave to Employees.

Established in 1981, Mahony Fittings, Inc. is a small privately (woman) owned business that despite the continual assault of governmental interference on both the national and state level, continues to survive and in some years, even thrive. This past year has been another trying one with the promises of financial recovery continuing to evaporate while our health care insurance costs have risen 20% over the previous year. As such, I find it preposterous that the Connecticut Legislature would once again choose to consider such a bill as SB-913 in what continues to be dire economic time for small (and all) businesses. I find it equally distressing that our State Legislature seeks to interfere in the running of my company particularly when their own house is in such disrepair.

I strongly urge you to stop this nonsense and vote to defeat the passage of this fiscally irresponsible legislation once and for all. Your efforts should be towards promoting and protecting the interests of the business owners in this state as we are the ones who are CONTRIBUTING to the tax base.

Sincerely,

Sheila C. Mahony  
President

CT TOLL FREE 1-800-6-MAHONY  
2 CRAFTSMAN ROAD \* EAST WINDSOR INDUSTRIAL PARK  
EAST WINDSOR, CONNECTICUT 06088  
EMAIL: [info@mahonyfittings.com](mailto:info@mahonyfittings.com)



**H&T Waterbury**

Date: February 23, 2011

To: Members of the Legislature's Labor and Public Employees Committee

**Subject:** Reject SB 913. Mandatory Paid Time Off

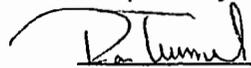
My name is Ronald Turmel, Vice President and General Manager at H&T Waterbury Inc (H&T). H&T is a manufacturer of deep draw metal stampings for the Consumer Battery industry located at 984 Waterville Street, Waterbury, Connecticut. We employ 115 people, primarily in manufacturing related activities.

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees.

We as a Connecticut Manufacture are doing our part to remain complete by implementing "Lean" Manufacturing practices. Lean Manufacturing focuses on eliminating wastes and non-value added activities. If the State of Connecticut continues to push mandates like SB-913 on our business it will only be a matter of time before we are forced to move our business off shore.

We urge you to reject SB-913 and work with the business community to encourage economic development and job creation in Connecticut. In my humble opinion, the manufacturing sector is unique in that it produces wealth for not just its owners and employees, but indirectly within the community as that wealth is further distributed in the form of payment for services, property taxes, food, clothing etc.

Respectfully Submitted,

  
\_\_\_\_\_  
Ronald Turmel

TELEPHONE 236-0833 (Area Code 860)  
FAX 237-3768

An Equal Opportunity Employer M/F



GENERAL CONTRACTORS

244 PROSPECT AVENUE HARTFORD CT 06106-2028

*February 23, 2011*

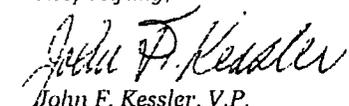
**To: Members of the Legislature's Labor and Public Employees Committee**  
**Subject: Reject SB 913: Mandatory Paid Time Off**

*Dear Legislature's Labor and Public Employees Committee,*

*The State needs to figure out ways to cut their own benefit packages not increase ours. The only reason State Legislators want to pass this is to create an excuse for the State and Municipal workers to keep the cushy benefits they already have, such as paid personal days, paid sick days, paid vacation days, paid holidays, big pensions, big health benefits, on and on and on.*

*Again the State needs to concentrate their efforts on cutting their own costs without trying to figure out ways to increase the private companies costs of doing business*

*Respectfully,*

  
John F. Kessler, V.P.  
The Kessler Construction Company, Inc.  
244 prospect Ave.  
Hartford, CT 06106-2028



William A. Manthey  
Vice President/CFO

February 23, 2011

To Members of the Labor Committee

My name is William A. Manthey, Vice President and CFO at Bridgeport Fittings, Inc. in Stratford, CT.

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. In looking at the bill it is my understanding that language in this bill counts any vacation/paid time off as meeting the sick pay requirements. This means that for our company which has a policy that gives employees time off we would not be affected. Nevertheless I am writing to oppose this bill.

The problem I and most others have with this bill is the negative perception of Connecticut it will give to the rest of the world regarding the business environment in Connecticut. We are currently viewed as a State with high energy and tax costs. Becoming the first State in the nation to have a mandatory sick pay bill will add to this image. Please realize that our State competes with every other State in trying to attract new businesses to employ its citizens. Other States will throw this out to make companies fear locating here. You know they'll make this appear to be a first step in further burdening employers. Employers will feel safer locating in neighboring States.

Our unemployment is very high. Most of the jobs that do not pay sick pay are near minimum wage which people are forced to take because of the lack of manufacturing and higher level employers in the State. Through this bill you are discouraging employers from bringing the higher paying jobs that people want in order to get them benefits in jobs they've been forced to take because of the lack of said higher wage positions. You are perpetuating the under-employment of citizens through this bill.

I urge you to reject this bill. Thank you.

Signed,

William A. Manthey  
VP/CFO



154 Herbert Street Milford CT 06461 • 203-876-7822 phone • 203-876-9504 facsimile

To Members of the Connecticut Legislature

From Tom Mercaldo, President, Aquinas Consulting

Re SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees

Dear Honorable member of the legislature,

My company is in the business of helping people find jobs. It is a difficult jobs environment in CT right now as more and more jobs are being lost to locations in other states because of the cost of employing people in Connecticut, and because of employer mandates imposed by the legislature. So it is hard to understand why in an environment where employers are letting employees go left and right, the state is considering imposing another employer mandate.

As a temporary services provider, we have the option to perform services either in our Milford, CT office or in our offices in Atlanta, Minnesota, Florida, NY, or Utah. There is no question that this legislation will incentivize us to continue moving jobs to Atlanta and Utah. Further we have the ability to hire people overseas and currently have 2 staffers supporting us in India. This legislation makes the idea of shifting jobs overseas even more compelling where we do not need to provide employees with any benefits including paid time off.

As president of the company and it is my goal to expand employment in Milford and not to move any jobs to other states or countries. But I report to a board and it is getting difficult to justify my position. While this legislation seems high minded, in many cases it will hurt the people it is intended to help. Today some folks that are out of work have a choice to make. To take a job with no benefits or to stay out of work. If this legislation is passed, these people will have a new choice. To take a job out of state that has no benefits or to stay unemployed. I think most people that live in CT will prefer option 1.

I am in the business of helping out of work people get jobs. These are often temporary jobs that are not meant to be careers but are designed to temporarily provide some income while people look for something better. This has become an extremely difficult thing to do in this economy. If this legislation passes, I will have to charge more for these services. That's going to cost some people a job opportunity, or they are going to have to take less pay. Most of these people would rather get paid a little more than have sick time. This legislation is not in the best interest of job seekers.

I encourage you to reject this legislation.

Best regards

Tom Mercaldo  
President  
Aquinas Consulting & Staffing Solutions, LLC  
tmercald@aquinasconsulting.com  
[www.aquinasconsulting.com](http://www.aquinasconsulting.com)  
203-876-2822 (office)  
203-556-8061 (cellular)  
203-876-9804 (fax)

# Acme Wire Products Company, Inc.

Acme Wire Products Co, Inc.  
7 Broadway Extension  
P.O Box 218  
Mystic, CT 06355  
email [mfitz@acmewire.com](mailto:mfitz@acmewire.com)



February 24, 2011

To: Connecticut State Legislators  
Labor Committee

Dear Connecticut Legislators:

Acme Wire Products Co., Inc. is a second-generation family business in Mystic, CT manufacturing steel and stainless steel components for companies throughout the United States & internationally. We were founded in 1970 and currently employ 47 people in the southeastern Connecticut region. We support our local community through numerous charitable donations, purchasing from local subcontractors and retail and commercial establishments. Acme Wire Products is a significant contributor to the tax base in the town of Stonington and the state of Connecticut. Currently, we are the largest precision wire fabricator in the state.

We strongly urge you to vote against SB-913, which would require Connecticut employers to provide paid sick leave to their employees. This bill will increase our labor costs and would cause us to reduce other employee benefits, such as vacation time. In addition, the added cost of state imposed mandates such as paid sick leave would cause Acme Wire Products to curtail the hiring of additional employees in an attempt to control costs.

Top officials in Connecticut have continually claimed they want to make Connecticut an attractive place for companies to locate and to improve our business climate. Nonetheless, the legislators in Connecticut continually have imposed mandates & now propose additional mandates on existing Connecticut businesses which make our state a costlier, less competitive and ultimately a less desirable place to do business.

The legislators, in particular, the Labor Committee, need to work hard to retain the businesses that are currently located within the state by creating an environment that enhances growth and competitiveness, not discourage the companies that are currently trying to remain in Connecticut and remain competitive within the global marketplace.

Please feel free to contact me at [mfitz@acmewire.com](mailto:mfitz@acmewire.com) or by phone at 860-572-0511 to discuss.

Very truly yours,

Mary P. Fitzgerald  
President

---

Visit our Web-site@ [www.acmewire.com](http://www.acmewire.com)  
7 Broadway Extension/P O Box 218 Mystic CT 06355  
Phone 860-572-0511 Fax 860-572-9456



February 24, 2011

TO Members of the Legislature's Labor and Public Employees Committee

Subject Reject SB913 Mandatory Paid Time Off

We are asking for your support in **opposition** to SB-913, an Act mandating employers to provide paid sick leave to employees.

As a provider of home health care we are trying to maintain a delicate balance between the increasing costs of doing business in the State of Connecticut and keeping rates affordable for seniors and others who pay out of pocket for their services. A mandate to pay sick time will result in higher payroll costs. Unlike other types of businesses, our services are provided in the home on a "one to one" basis. Under this bill we would have to pay sick time to the ill worker and also pay the replacement worker with no ability to recoup this additional cost. We operate with very small profit margins and simply cannot afford to absorb this additional cost.

Furthermore, for those of us who contract with the State of Connecticut, under the Connecticut Home Care Program for Elders and with the Department of Social Services, our reimbursement rates have not increased since 2007, yet we have incurred higher minimum wage mandates, higher worker compensation insurance rates, increased unemployment contribution rates, higher transportation costs and numerous other cost increases.

We value our dedicated employees and would like to provide additional benefits. Unfortunately given our dependence on State run programs that do not recognize the "true" cost of providing services, and the inability to pass on these costs to our clients, we risk business failure should we be forced to provide sick time.

Thank you for your consideration

Larry Tucker  
Executive Vice President  
Nursing Services, Inc.  
21 High Street  
East Hartford, CT 06118  
860 568-8881

**PLUMBING & HEATING, INC.**

266 South Broad Street - Pawcatuck, CT 06379

**Phone** (860) 599-9000 **Fax** (860) 599-5880**CT LIC# S-1 385964, P-1 204807**

February 24, 2011

**To:** Members of the Legislature's Labor and Public Employees Committee**Subject:** Reject SB 913: Mandatory Paid Time Off Dear Eric,I am writing this letter to urge you to reject SB913: **Mandatory Paid Time Off**.

Requiring any business to pay employees 1 hour of sick time for every 40 hours worked is outrageous. Even for an employee who didn't work any overtime that would mean 50-52 hours of sick time in one year. If it's required and paid for by the employer that means employees will call in sick so they don't lose the "sick pay" they think they deserve. Very few people are sick for 6-7 days in any given year. So, in essence the employer will be required to pay each employee for 6 additional days of time off in addition to mandatory holidays and any vacation already paid to the employee. I can already tell you that employers will immediately change vacation policy to read vacation/sick time which will include the mandatory sick pay and decrease vacation time. That would be the only fair thing for the employer.

We have a small business of only 3 employees and our benefit package includes one week of paid vacation time after one year worked and an additional week for every five years worked. So an employee who has worked for us for 6 years gets 2 weeks paid vacation. We give vacation pay at the beginning of each year in a lump sum, and then during the year the employee can take time off for sickness or vacation with no pay. That way if they decide to take minimal time off, they make more money. If they need more time off after the earned vacation/sick time, they are not paid for it. It's in their control and we, the employer, do not have to track each day off or deal with employees calling in sick so they don't "lose" their paid sick days.

Requiring any more of businesses is only going to make it harder to compete and maintain quality service. Come December, employees will be calling in sick left and right which will only add to a difficult time of year for employers.

Please reconsider what you are asking employers to do. I believe it would prove detrimental to conducting business successfully in the State of Connecticut.

Sincerely,

Deborah W. Ceil

**SWI Glass  
& Metal**

STANLEY WIESEN INC

February 24, 2011

State of Connecticut - Members of the House

RE: I urge the Labor Committee to reject SB 913, Mandating Employers To  
Provide Paid Sick Leave to Employees

Please vote against the costly paid sick leave mandate when most can barely keep their doors open. In the company I own we implemented a policy twenty years ago that has incentives for employees to earn days on top of their vacation days. These days are earned as follows: For every fifty days they complete they earn a day off. In order for a day to count they have to arrive to work on time and work 8 hours. If they are late occasionally due to traffic or some other unforeseen we count these days toward the fifty. Tardiness is not an issue in our company and we seldom have days that we do not count. They can use these for sick time or other personal needs or they can accrue them and tag them onto a weekend or to use as mental health days. We ask that they plan the use of these days in advance to lessen the disruption, but we do not penalize them if they have an immediate need, such as an illness or a family member with an illness. Hopefully you are starting to get the picture that this incentive works well, if the legislature mandates that we automatically give sick days, you hurt the employer and the employee because the responsible employees will still come to work on time and not call in sick because they got up and wanted to have a day off, but the irresponsible employees will abuse their sick days and still come in late and not plan with their employer in advance when they have a doctor's appointment or other need for a day off other than emergencies. We all get sick, we all need to have the ability to stay home when we are sick, but this legislation takes another wack at the employers ability to offer incentives and rewards to people that deserve to be rewarded and encourage employees to act responsibly. Let's not water down the work force anymore than it already has been. This is precisely the type of legislative mandate that keeps companies from coming to Connecticut and encourages those that are here to leave. In these very difficult economic times, we need to be thinking of ways to support and encourage those providing jobs, we don't need any more layoffs caused by mandates. We employ on average 35 - 40 workers, so this mandate will not affect us immediately, but we do manufacture products for other businesses mainly in Connecticut, so every time one of them fails, they take a piece of us with them. Not only would this bill make new businesses less likely to locate, invest or expand here, it would also make Connecticut's existing businesses less able to compete. Last thing Connecticut needs right now is to be less competitive. Please vote no.

Sincerely,



WILLIAM J. JORDAN  
PRESIDENT  
STANLEY WIESEN, INC.

290 Prospect Avenue - Hartford, Ct. 06106

[www.swiglass.com](http://www.swiglass.com)

860-232-0010



175 Industrial Lane  
Torrington, CT. 06790  
Phone 860-496-1133 Fax 860-496-1166

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FEBRUARY 24, 2011

To Members of the Labor & Public Employees Committee.

My name is Larry Becker, President and Owner of Reidville Hydraulics & Mfg. Inc., 175 Industrial Lane, Torrington, CT 06790

Almost one year ago to the day, I and other business owners and numerous people from Connecticut wrote letters in opposition to Senate Bill 63 – An Act Mandating Employers Provide Paid Sick Leave to all employees

In the last year, the business climate in this state has not changed. Yes, the economy is improving, slowly. Our company is fortunate to have new opportunities to grow our business and start hiring again. Without the cost cutting measures implemented in the last few years, we would not have these opportunities.

The state is again considering implementing mandates such as SB-913, An Act Mandating Employers Provide Paid Sick Leave to Employees (sounds familiar) which will only drive operating costs up. We hear that Jobs are Job one! When will the legislature realize that bills like this only hurt the ability to survive in this already costly state?

We urge you to reject SB-913 and keep it off the table. Instead, use your collective experience and talent to work on bills that really matter (reducing the size and cost of government, improving education, improving the infrastructure, and oppose all bills that are harmful to the goal of making Connecticut, once again an attractive place to do business.

Thank you for your support.

Larry J. Becker

President



Machined & Fabricated Plastic Parts & Components  
 57 South End Plaza • New Milford, CT 06776  
 Tel 1-860-355-9661 • Fax 1-860-355-9229

RE: SB-00063

February 23, 2011

SB 913

Members of the Labor Committee,

I currently operate a small manufacturing company in New Milford. Since we started operations in 1990, we have seen many of our larger customers (and potential customers) leave the state for (political) climates more suitable to business. Here in New Milford, Kimberly Clark closed and moved it's manufacturing to the Midwest, costing this community hundreds of direct labor jobs, not to mention the ancillary jobs which existed to support their operation. One of the cited reasons was the cost of doing business in Connecticut. I find it hard to believe that the legislature would even consider passing a law that would increase the cost of doing business in the State of Connecticut. This state, along with our neighboring states, are some of the most heavily taxed states in the union. The costs of labor are high, the infrastructure is lacking and in need of repair and upgrading while the costs of energy are some of the highest around. These are all major impediments to attracting, and keeping employers in the State. This type of legislation does nothing more than increase the costs of an already overburdened business community.

You will undoubtedly hear testimony of many who are in support of this bill, citing anecdotal reasons why this bill is necessary. While we can all sympathize with each story, the reality is, if this measure does pass, these very same people may be out of work because their employer has chosen to move to a friendlier locale, had to cut labor cost, or just gave up. With these people out of work, and the business no longer operating in the state (or operating at a diminished capacity), the unemployment burden grows, and with fewer businesses to tax, the costs escalate for everyone. If this bill does come to pass, I for one will have no other choice but to reduce the benefits package we already provide our employees to pay for this. I would need to do this to stay competitive. So in effect you will be "robbing Peter to pay Paul."

Please vote this measure down, and help to create a vibrant, business friendly environment for the State of Connecticut. With More people working, employers will have to negotiate better benefits packages to attract qualified employees, state revenues would rise and the unemployment burden will decrease. A WIN-WIN situation for all.

Sincerely,

Paul Guidotti

President

East Branch Eng. & Mfg. Inc.



**EVANS Associates**  
Environmental Consulting, Incorporated

February 24, 2011

**To: Connecticut State Legislature's Labor and Public Employees Committee**

**RE: SB 913, An Act Mandating Employers to Provide Paid Sick Leave to Their Employees**



I have operated a small consulting firm in Connecticut since 1988, and am writing to you to voice my opposition to SB 913. As a small business owner with fewer than ten employees, I have prided myself in creating a work environment where my employees are treated with respect and compensated at a very competitive rate. That compensation package includes ten paid holidays and two personal days each year, in addition to paid vacation time of at least one week (up to three weeks for employees who have been with the company for ten years or more). While I do not pay employees for "sick time" per se, I have a policy, which is made clear to them when they apply for employment, of paying them if they become seriously ill or are unable to work for a period of more than a few days. Not surprisingly, this situation has only arisen a handful of times over the 23 years that I have been in business, and I have never gotten any complaints from my employees. No one has to sneak around if they want or need time off, and I never have to wonder whether they are really sick or when they will be back to work.

One of the benefits of being a small business owner is being able to create a work environment that is flexible and responsive to the individual needs of my employees. Mandating paid sick leave for small businesses eliminates some of that flexibility and puts an additional financial burden on the business owner. Given the current economic climate, passing a bill such as SB 913 would move me one step closer to closing the doors and going back to being a private consultant, effectively eliminating five jobs and adding to the unemployment rolls. It seems ill advised to put more of a financial burden on small businesses as we are just beginning to recover, and that is exactly what this bill would do.

Thank you for your consideration of my comments.

Sincerely,  
EVANS ASSOCIATES ENVIRONMENTAL CONSULTING, INC.

Beth Evans  
President

205 Young Road  
Bathony, CT 06524  
Tel: 203 293 0690  
Fax: 203 293 0136



February, 23, 2011

To: Members of the Legislature's Labor and Public Employees Committee

From: Del Merenda  
President, i-MARK Inc.

Subject: Reject SB 913 Mandatory Paid Time Off

Frankly, I am at a loss as to where to begin. Our state and our nation are experiencing significant job losses in the all-important GDP products and services sectors. Connecticut businesses are immersed in life-or-death struggles to remain competitive while keeping a strong CT labor presence that provides the necessary tax base to pay for needed government services.

While we are in the midst of the most serious sustainable job crisis in our nation's history, how can supporters of such an onerous bill as SB 913 be so removed from this reality and blindly propose its passage? This bill's proponents need to take their heads out of the sand and focus their legislative responsibilities on growing the Connecticut labor force that produce GDP products and services. The rest of Connecticut's citizens must rely upon this essential labor base to sustain a working economy.

I believe that focus on this bill is both misguided and irresponsible. We will all be much 'sicker' if any more time and resource is taken away from solving Connecticut's current economic crisis.

Please show that you care about Connecticut's economic future and do not vote in favor of this bill that will force businesses to lay off Connecticut workers; or worse, move out altogether.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'Del Merenda', is written over a faint, illegible printed name.

Del Merenda

*"We get websites to work<sup>SM</sup>"*

# Thompson Brands LLC

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February 24, 2011

Labor and Public Employees Committee  
State of Connecticut

Dear Senator:

**RE: OPPOSITION TO MANDATORY PAID SICK LEAVE – SB 913**

I urge you to please reject this proposal. The businesses in our state simply cannot afford any additional burdens at this time. Instead, please work with the business community to control the labor and workplace costs in Connecticut.

Please stop the spending and work with businesses to help keep jobs in our state, not eliminate them.

Sincerely,

Mary Filippone  
HR Manager



Arthur A. Horton, Inc.  
Canton Business Park  
97 River Road  
Canton, Connecticut 06019  
(860) 693.6388  
(860) 693.6517 FAX

February 23, 2011

Re: SB 913

To Members of the Labor Committee:

My name is Kathleen Deming, I am the Vice President of Finance at Arthur A. Horton, Inc., Electrical Contractors in Canton, CT.

I am writing to voice my opposition to SB 913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and could force us to re-evaluate the other benefits we provide our employees.

We have put a lot of time and consideration into determining what benefits we can afford to provide to our employees. We feel the benefits we currently provide (which do include paid sick time) are fair.

We are a small business with 36 employees working in the construction field. The cost of doing business in the state of Connecticut has skyrocketed, and the added costs of providing increased sick leave will make us much less competitive when bidding against electricians in other states.

Your paid sick leave mandate will only encourage employees to take more time off from work, slowing down productivity. The work we do requires us to complete jobs within designated time lines. If we do not meet the deadlines penalties are imposed causing higher costs. We need to count on our employees showing up to work on a regular basis.

I urge you to reject SB 913 and work with the business community to control labor and workplace costs in Connecticut.

Thank you.

Kathleen K. Deming  
Vice President of Finance



ISO  
9001:2000  
REGISTERED

ISO  
13485:2003  
REGISTERED



DERINGER-NEY INC.

Deringer-Ney Inc  
Ney Industrial Park  
Two Douglas Street  
Bloomfield, Connecticut  
06002-3690 USA

Phone 860/242-2281  
Fax 860/242-5688  
www.deringerney.com

**To: Members of the Legislature's Labor and Public Employees Committee**  
**Subject: Reject SB 913: Mandatory Paid Time Off**

We are writing you to voice our opposition to SB 913, *An Act Mandating Employers Provide Paid Sick Leave to Employees*, which would require Connecticut employers to provide paid sick leave to their employees. The proposal will substantially increase our business costs and could force us to re-evaluate the other benefits we provide to our employees. It could decrease our ability to grow and create jobs in the State. Faced with this legislation, employers would be forced to look at all of their alternatives in order to stay competitive.

We currently offer a generous benefit package which includes paid sick time for our employees. Two of these days can be used as personal time throughout the year. We also offer Short and Long -Term Disability benefits to our employees, at no cost.

Given the current economic situation we are in, this legislation is ill-timed and is harmful to Connecticut businesses and jobs.

**We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut.**

Regards,

James W. Cummings  
Vice President Operations  
Deringer Ney Inc.  
2 Douglas Street  
Ney Industrial Park  
Bloomfield, CT 06002

# Connecticut Plywood Corporation

SINCE 1956

9 ANDOVER DR  
WEST HARTFORD, CT. 06110  
800-262-7325

189 PEPES FARM ROAD  
MILFORD, CT. 06460  
800-232-2480

45 INDUSTRIAL PK. ROAD  
ALBANY, N.Y. 12206  
800-317-7642

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## Mandating Employers Provide Paid Sick Leave to Employees SB 913

I am totally opposed to this bill currently being proposed-again. Hopefully it will be defeated for obvious reasons. It's legislation like this that causes businesses to flee this state. The legislature is wrong to make decisions that management (of private enterprise) must make to enable profitability and survival of that enterprise. It will guarantee increased absenteeism and costs associated with replacement of that employee for the day. In addition increased absenteeism places more work pressure on the employees that have to cover for that absent employee. Hopefully we still live in free country, whereby any employee who is unhappy with his/her available sick time can leave their job and go elsewhere if they so please. In order to retain qualified employees, businesses employ benefit programs that fit what the enterprise can afford. As the astute Forbes Magazine financial expert, Ken Fisher, once said: "Thanks for not legislating".

Thank you.  
Charles Dionisio



February 24, 2011

To Members of the Labor Committee

My name is Russell Paine and I am the Vice President at Paine's Inc. I am the third generation in a family business that was started by my grandfather in 1929 and has been owner operated since the beginning and remains so today. We are located in East Granby, CT, and are proud to provide our customers with excellent recycling and waste removal service in and around Hartford County.

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. This proposal will substantially increase our business costs and will force us to reevaluate the other benefits we provide our employees.

With diesel at \$3.77 per gallon and rising fast, unemployment at 9% + and the state of Connecticut with a 3.6 billion dollar deficit, what are you thinking? This nonsense needs to stop now! Here's an idea how about you do the jobs you were elected to do and find productive ways to help our state out of the poor house instead of finding new ways to drive us all closer to bankruptcy. Businesses and the people of Connecticut are tired of being used as an open bank account. This legislation and so many others like it are exactly why Connecticut and so many other states in this great country are working from the red instead of the black.

Companies cannot and will not invest in the future of Connecticut to expand their businesses, improve employee benefits and create the new jobs that this state needs so desperately if the cost of doing business continues to sky rocket and our customers decline.

The responsible thing for this Committee to do is to reject this proposal to show that working with Connecticut's Businesses and its Residents to curb needless spending is at the top of this Legislature's agenda. Thank you.

Signed,

Russell Paine  
Vice President

**BECKER CONSTRUCTION COMPANY**

171 TOLLAND TURNPIKE (ROUTE 74), P O BOX 535, WILLINGTON, CT 06279  
(860) 429-2461 • (860) 429-2610 • FAX 429-0542

February 24, 2011

To: Members of the Legislature's Labor and Public Employees Committee

From: Diane Becker

Subject: **Reject SB 913**: Mandatory Paid Time Off

With the financial crisis facing this state and this country, how can your committee justify spending a minute of time on a bill such as this?

Governor Molloy has stated quite clearly that jobs are a top priority for our State. Employers create jobs. In order to do that, they must have both demand (good economy) and resources (cash). When a law takes away a business' cash, the business is less able to create a job. This mandatory paid time off bill takes cash away from business and bestows a gift on current workers. Easy for you to do! But not smart.

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Your efforts should be devoted to getting Connecticut out of the current mess. This bill makes the mess worse. This bill does not help those without work, and would be a free gift to those who do – creating work conditions where none currently exist. This bill would hurt Connecticut business. This bill is wrong for Connecticut and I urge you to reject this legislation.



February 23, 2011

Labor & Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106-1591

Dear Committee

My name is Kathie Hanratty, President of Jaci Carroll Staffing located in Middlebury with a branch office in Torrington where we have been providing staffing solutions to Connecticut's businesses since 1976.

I am writing to ask that you **oppose Senate Bill 913- An Act Mandating Employers Providing Paid Sick Leave to Employees**. This bill will require Connecticut employers to provide paid sick leave for all employees. This proposal will substantially increase the cost of business and could force us to reconsider other employee benefits that we offer in order to offset these costs.

Preventing the passage of this bill is crucial to the future well-being of our economy and to all residents of Connecticut. Connecticut is already one of the most expensive states in the United States to conduct business and we cannot afford to lose any more jobs to other, more affordable states. The passage of this bill would **not** make Connecticut a very attractive place to do business.

Thank you for your consideration,

Kathie Hanratty

President

[www.jacicarroll.com](http://www.jacicarroll.com)

**Middlebury**

751 Straits Turnpike, Suite 1000  
Middlebury, CT 06762  
☎ 203-574-4838  
☎ 203-756-9772  
✉ [jobs@jacicarroll.com](mailto:jobs@jacicarroll.com)

**Torrington**

East Main Street, Suite 101  
Torrington, CT 06790  
☎ 860-496-0075  
☎ 860-496-1503  
✉ [jobs@jacicarroll.com](mailto:jobs@jacicarroll.com)

**West Hartford**

65 LaSalle Road, Suite 404  
West Hartford, CT 06107  
☎ 860-561-3010  
☎ 860-561-3158  
✉ [jobs@jacicarroll.com](mailto:jobs@jacicarroll.com)



WORKERS  
Compensation  
Risk Certification



American Staffing Association



February 23, 2011

To the members of the Connecticut Labor Committee;

My name is Kenneth J. Flanagan and I am the President of Flanagan Industries of Glastonbury, Connecticut. We are a privately owned, second-generation manufacturer of aerospace and power generation components for several OEM's and the Department of Defense. We have been in existence and operational in this state since 1951. We employ 107 full-time individuals at two facilities.

I am writing to this committee for the second time in as many years. I am disappointed and deeply disheartened that our newly elected body of legislators continues to exhume, re-examine and evaluate this unfortunate bill (SB-913) in every session. As elected officials, you are expected to make difficult decisions for the good of your constituents. That includes both small and large businesses. This proposed bill is unnecessary and unwarranted. Why must you desire to introduce "bad for business" laws that will ultimately be burdensome on Connecticut's employers? We are already struggling with high unemployment, rising costs of living and future tax increases that will inevitably be born by all working individuals. This proposal will substantially increase our day to day business costs and will force us to re-evaluate the many other benefits that we currently provide to our employees. We would prefer not to do this.

I urge you all to reconsider and ultimately reject this proposal and instead work with the business community to control and reduce labor and workplace costs instead of increasing them in our state.

Thank you for your consideration.

Kenneth J. Flanagan,  
President  
Flanagan Industries  
25 Mill Street  
Glastonbury, Conn. 06033



CERT NO 10002100 OM  
AS9100 REV B  
CERT NO 10002100 ASH

Flanagan Industries  
25 Mill Street  
P.O. Box 396  
Glastonbury, Connecticut 06033-0396  
Phone: 860.633.9474  
Fax: 860.659.3936  
www.flanaganindustries.com  
Email: flanagan.ind@filic.com

2/24/2011

David Forrest  
Forrest Machine, Inc.  
37 Inwood Rd  
Rocky Hill, CT 06067

Labor Committee

To Members Of The Labor Committee:

My name is David Forrest. I own and operate a small manufacturing company located in Rocky Hill, CT. We are a 35 year old company specializing in aircraft components. We currently employ approximately 47 people.

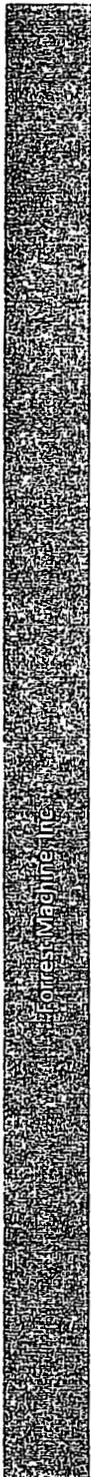
I am writing to oppose SB 913, An act Mandating Employers Provide Paid Sick Leave to Employees. This proposal will substantially increase costs and could cause us to evaluate other benefits we provide to our employees.

If Connecticut is truly "Open for Business" then why are we trying to burden businesses that are here with additional mandates and signal to companies that might consider Connecticut as a location that we have the most unfriendly business climate in the country?

If this committee wants to signal that Connecticut is in fact open for business then you need to stand up to powerful special interests and defeat this bill.

Businesses are already struggling with skyrocketing healthcare, energy and commodity costs while trying to remain competitive in a global economy. The state is struggling with high unemployment and record deficits. This bill will make both situations worse.

Forrest Machine, Inc.



I urge you to reject this proposal and work with the business community to control the cost of doing business in Connecticut. Growing our economy is the only solution to many of the problems our state faces.

Sincerely,

*David Forrest*

David Forrest  
President  
Forrest Machine, Inc.





15 East Industrial Road  
 Branford, CT 06405  
 1-800-448-8480  
 www.netruck.com

To: Members of the Legislature's Labor and Public Employees Committee  
 Subject: Reject SB 913: Mandatory Paid Time Off

February 24, 2011

Dear Committee Members,

It has come to my attention that once again the Connecticut State legislature is attempting to pass a mandatory sick leave bill (SB913). As a small business owner struggling to survive in Connecticut, I urge you to reflect very carefully on the negative effect this legislation would have on small businesses in the state. SB913 would place one more financial "straw" onto my company's already overburdened expense structure; it is quite possibly the straw that would break our back.

New England Truck Sales & Services, Inc. is a heavy truck dealership. We represent the Daimler AG brands of Freightliner, Mitsubishi-Fuso and Sprinter. We are currently staffed at 50 employees. Our 2010 revenues were approximately \$20,000,000.

In August of 2006, I and two partners purchased this company as it was collapsing and about to close. The business had lost nearly \$2,000,000 in the previous year; it had not shown a profit in more than ten years. Prior to buying this company, I had over 15 years of "turn around" success within the heavy truck industry. I was convinced this company could be turned around and made profitable once again.

In January 2007, the trucking industry began a catastrophic slide that has just recently ended. Nationally the market dropped almost 63% in three years. In Connecticut the drop was even more severe, with the market falling off 71%. It is currently up a very modest 15-17%, but there is still a long way to go.

Since the purchase, my partners and I have invested millions of dollars in NETS Inc. We have invested in IT infrastructure, building renovation, employee training and most importantly, a much improved compensation and benefits package for our employees. We have added a 401K with matching funds, bonus plans for performance, better health insurance (with the company assuming a greater share of the cost than before), company paid life insurance and more. We have experienced lay-offs, as have most employers in Connecticut, but we have also stepped up at great personal expense to ensure that the remaining employees have job security and "best in class" benefits.

Many other business owners in the same situation have taken their losses and shut down. We have chosen to stay and fight for the good of our company, our employees and our community.





15 East Industrial Road  
Branford, CT 06405  
1-800-448-8480  
www.netruck.com

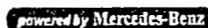
Should SB913 be passed, it will drive up the NETS payroll substantially. Not only will I have to pay an employee for extra time off, but I will also lose the billable hours while they are out. The legislation would effectively deliver a double hit to the bottom line. In an automotive dealership fixed operations are critical to success and billable hours are the hinge pin. My Controller estimates that if SB913 passes it will increase our operating expenses by \$100,000 to \$150,000 during the course of a fiscal year.

There has been a lot of talk recently from politicians around the U.S. about small business and how important it is to our county's economic future, how it is the "backbone of our country." Where is the reality in all this rhetoric? Do the vast majority of legislators truly understand what it takes to make a small business successful? If you haven't actually built a company, turned a company around and guided a company through the ups and downs, you cannot know how difficult it is to survive and prosper in the business world.

If you want to see small business in America, come see our company. We are the epitome of small business: struggling to survive, taking care of each other....and asking you not to make imprudent decisions for us.

Sincerely,

Matthew McConnell, CEO  
New England Truck Sales & Services, Inc.  
Dbas Southern Connecticut Freightliner  
15 East Industrial Road  
Branford, CT 06405  
203.481.0373 x115 (office)  
203.315-3953 (fax)  
203-815-4919 (cell)





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TAX-EXEMPT COMPLIANCE

February 24, 2011

Members of the Legislature's Labor and Public Employees Committee  
Room 3800, Legislative Office Building  
Hartford, CT 06106

Subject: SB 913: Mandatory Paid Time Off

Dear Ladies and Gentlemen:

I am the owner of a Corporation in Connecticut that employs less than 50 and provides a minimum of 2 weeks of paid vacation/leave for every employee. Vacation time, which can be used for any reason, is accumulated at the rate of one day per month following the month of employment through the month preceding the anniversary date of hire. Therefore, each member of our staff accumulates 10 days per year at a minimum.

I would like to point out the deficiencies in our voluntary program

1. My staff tends to come to work when they are ill in an effort to save vacation/leave for when they are feeling well. This results in the opposite effect intended by Bill 913 and exposes all other staff to illness.
2. Abusers of our Program tend to call out sick on Monday and Friday.
3. Abusers of this Program have no accumulated (saved) vacation/leave time. They tend to use every hour within 30 days of receiving their allocation of vacation/leave time. In some cases, they use it before it is earned knowing that it will have accumulated before the end of the accumulation period.

SB 913 is bad for business in Connecticut in 2011. However, the Legislature, who generally does not sympathize nor understand how small business operates, is likely to push the Bill forward due to pressure by labor unions. To the extent that you feel obligated to push this Bill forward, I offer the following suggestions to amend SB 913 making mandatory leave fair to both the employer and the employee.

Consider Alternatives:

The origin of this Bill was to provide time off to employees that needed to tend to personal matters, without fear of being terminated by an employer.

There are other remedies that employers may wish to endorse other than those imposed by SB 913. As an example:

- Employers would rather provide time off without pay to employees in need of personal time off and do so without fear of termination.

If the reason for this Bill is to allow employees not report to work when they are ill or to tend to personal business without fear of losing their job, preserving the employee's job position for 40 hours a year should be adequate. Paying employees for taking the time off is an unnecessary cost.

Preserving the position and paying wages is a double hit on the employer, which will result in increasing the cost of goods and services to others or a reduction in corporate growth, which will have a negative effect on all employees of the company.

- Consider providing the employer with the authority to excuse employees who arrive to work ill or unfocused due to trauma in their life.

Bill 913 in its current form will hurt business since it requires the accrual of a minimum of 2,000 hours of paid leave for 50 full time employees. The math is simple and the benefit will be used:

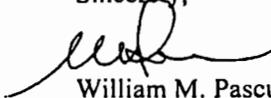
50 Employees earning \$9.00 will accumulate \$18,000 in additional wages to achieve the same amount of productivity.

In addition, a minimum of \$1,377, the Social Security and Medicare match of 7.65%, must also be factored in the cost.

Lastly, every employer is being faced with special assessments for unemployment compensation and significantly increased unemployment ratings and increased costs relating to 2009-2010 layoffs and the extension of this benefit. The total of this burden alone will be devastating to some employers.

During a period of very high costs to conduct business as a result of the recent recession, the additional burden of paid leave will be devastating. The Connecticut Legislature should focus on ways to assist employers who are in serious financial trouble to get back on their feet. Bill 913 will add costs to already cash strapped businesses and further delay any economic recovery, which we all know will lead to increased employment.

Sincerely,



William M. Pascucci  
Chairman



FLB Architecture & Planning, Inc. 19 Silver Lane East Hartford CT 06118  
(860)568-4030 fax: (860)568-5129 e-mail: flb@flbarch.com web: www.flbarch.com

February 23, 2011

Members  
Legislative Labor and Public Employees Committee  
State Capital  
Hartford, Connecticut

Re: Opposition to SB 913 – Mandatory Paid Sick Leave

Dear Legislators,

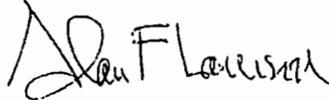
At a time when our State is reeling from the economic downturn and small businesses are struggling to survive, and I would remind you that small business is the backbone of our economy, it is impossible to imagine why the state would consider legislation that would require employers to provide paid sick leave. I understand that the current bill proposal would apply only to employers with 50 or more employees. But I also know that making the leap at a later date to a smaller threshold is much too easy.

Negotiating work conditions is part of the process of employment. I believe our firm is very responsive in that respect. We already provide 2 weeks of paid vacation in the first year of employment, seven paid holidays, and five days of paid sick leave. However, it is getting harder and harder to maintain this level of benefits. And this bill would mandate what is now subject to bargaining in the labor market.

I also understand that this would make Connecticut the first state in the country to mandate this benefit. Why do we need to be the ground breaking state on a measure that is clearly anti-business? The bill would limit a company's ability to establish labor policies that would allow it to continue in business and would make companies in Connecticut less able to compete with the adjacent states of Massachusetts, New York, and Rhode Island for skilled employees.

I urge you to reject SB 913 to save Connecticut businesses from having to absorb yet another legislative mandate that would clearly be harmful to the business community.

Very truly yours,



Alan F. Lamson, AIA, AICP  
President, Duly Authorized

c: file  
Representative Jason Rojas

c:\FLB Legislation Responses\2011 SB 913.Doc

# New England Stair Company, Inc.

*The region's industry leader since 1975*

February 23, 2011

CT Labor Committee  
c/o Kia, Murrell, CBIA

To Whom It May Concern:

In response to the proposed Act SB 913, we are writing this letter to urge you to please vote NO! As a CT employer of approximately 20 employees, we understand this would not immediately affect us. However, we have in the past employed as many as 50 employees. Also, we understand that this could eventually be pushed down onto an employer of our size and this would adversely affect our operations in numerous ways.

First, the direct payroll costs of this would approximate one employee's annual salary and given the way business is going, that would mean laying off an employee, issuing pay cuts across the board or eliminating paid holidays to make up the cost. As a result our employees will have to work harder, likely resulting in more sick time for our employees as a whole, or everyone would be working for less money, thereby resulting in a further financial struggle to many families in CT.

Second, the missed work would make it nearly impossible to function seamlessly, as we attempt to do in the eyes of our customers. Each and every employee serves an important role in getting our product to our customers. We make commitments and they must be met if we are to stay in business in this environment. As of now, our employees are not paid for sick time. They are paid for pre-scheduled vacation only, as we have found over the last 35 years that they miss more work if they think they're getting paid for it. We occasionally have an employee come to work who should not be here because they are sick and we have to send them home. However, overall our employees have excellent attendance and we believe it is because they know they only get paid for their scheduled time off.

Third, when did it become the government's job to determine the employee benefits at specific companies? Employees have choices regarding what they want to do and where they want to work in this country. Some people are paid for a month a year off work, because of the choices they made in education and career. Others are paid for none, similarly because of the choices they made in education and career. This is what makes our country great. Employers should continue to have the leeway to establish their own employee benefits programs that are appropriate for their business.

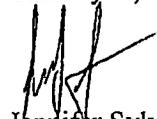


**1 White Street Extension P.O. Box 763 Shelton, Connecticut 06484-0763**  
**1-800-822-6620      203-924-0606      Fax 203-924-0165**

Finally, the administrative burden of this will be excessive on a company like ours. We would have to establish a new procedure to track employee hours worked and account for this sick time accrued and paid. This is all subject to human error and is burdensome on all companies, but especially on smaller ones.

Please take these comments into consideration when deciding how to move forward with this act.

Thank you,

A handwritten signature in black ink, appearing to read 'Jennifer Sylvia', written over a faint, illegible stamp or background.

Jennifer Sylvia  
Controller

# **OGS**

## **TECHNOLOGIES, INC.**

Divisions *Waterbury Button Company  
Diversified Eyelet Company  
Northeast Emblem & Badge Company*

February 23, 2011

Labor Committee  
State Office Building  
Hartford, CT

To the members of the Committee:  
Re: SB 913

I don't get it. Countries, states and companies are going bankrupt, and the Labor Committee thinks it is a good idea to continue to pile on mandates of added costs to companies that are a source of revenue? Are we trying to mirror California? And if so, what is the reasoning that makes one to expect a different outcome?

For one thing, even if giving employees additional "non-productive" time off with pay was a good idea (which it is not) the timing to even consider passing legislation forcing Connecticut companies to add additional costs to the products they manufacture is like asking a drowning man if he would like a glass of water. Has not anyone noticed that companies are struggling; unemployment is high (actually, higher than reported), states are out of money and country is almost bankrupt?

It is not like companies are feigning an inability to take on additional costs in order to retain profits. Unless you are a "too big to fail company" that gets stimulus money, the rest would either have raise prices, or reduce labor and overhead expenses to cover the additional costs. Unfortunately, every time we are forced to raise the prices of our goods, we lose customers that will buy a less expensive product - usually, one manufactured off-shore.

Companies are struggling to remain in business. I am not making this up. In the past 2-years more companies have either moved out of Connecticut, or just closed down, rather than the other way around. If the Committee wants to pass legislation, it would make more sense to pass legislation that would attract business to move to Connecticut. I have to tell you, that if I did not live in Connecticut, I would certainly consider moving to a more friendly state.

One of our divisions is The Waterbury Button Company - a company that has been in business since 1812. In 2003, my partner and I move moved the company out of

Waterbury Button Company Diversified Eyelet Company  
203-271-9055 • 800-928-1812 • Fax: 203-271-9852  
www.waterburybutton.com

Northeast Emblem & Badge Company  
203-272-1280 • 800-316-3009 • Fax: 203-271-9852  
www.nebadge.com

Waterbury to Cheshire. The primary reason was that the cost of doing business in Cheshire was much more favorable than doing business in Waterbury. It is no secret that Cheshire's tax rate was the motivating factor. While we were pleased with our decision, it was a sad day - as not only was the Company named after the City of Waterbury, but it had been in Waterbury for 191-years. Point being that most businesses are competing in a global market and will do whatever it takes to remain in business.

With regard to the paid "time off" for being sick - it is nothing more than another nail in the coffin of "Made in Connecticut" businesses. In a previous letter to CBI A I noted that my wife worked for the Woodbury Telephone Company. Paid sick time off was not always used for those that are sick. A normal conversation between employees was "I've got 4-more sick days that I have to take off, before I lose them, let's go to the Christmas Tree Store to get some shopping done." The result was that a "sick day" got converted into a "paid day off from work". If it walks like a duck, looks like a duck and quacks like a duck, then it is reasonable to assume it is a duck. As far as I am concerned, it is just another unplanned day away from work that the employee is compensated for that is a Holiday/Vacation Day (pick one). For those that do not believe that this really happens, are those that still believe in the "Tooth Fairy". Not for nothing, but The Woodbury Telephone Company (once, one of the few privately owned telephone companies in the United States) no longer exists. I am sure that it wasn't because its labor rates were too low.

With regard to the adding an additional burden onto our operating costs to our Button Division (our core business) - it will be critical. We have already lost much of the low end Fashion buttons to off-shore markets. My labor costs cannot compete with companies that (certainly) do not have the mandates that are placed on American companies. So, why would adding another cost to do business be a good thing?

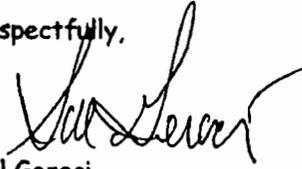
We cannot sit back and rely on the "Made in America" quality as the buffer between off-shore products and American products - as it will only be a matter of time before off-shore manufacturing quality improves. Those that have doubts can only look to Japan. They manufactured junk in the 50's - but now they make Cameras (that Germany used to make), Watches (that Switzerland used to make), and if it were not for government subsidies - they would be making most of the cars (that the USA makes). Most people would rather have a Toyota or a Lexus than a Chevrolet. And, by the way, I am composing this letter on a Dell computer that is made in China - and if I removed all the clothing that I have on that is not made in the USA, I would be sitting here naked doing so. Not a pretty sight. Not me, but the amount of business that is being lost from our state and country.

Little lengthy than intended, but I can assure you that for every additional costs you add on to the businesses in the state, the unintended consequence will be that there will be fewer business that will want to come to Connecticut, much less remain.

We are a miniscule business compared to the company down the street (Pratt & Whitney). But we share the same issues - that it is cheaper to do business elsewhere than to stay where we are. But unlike "Pratt", you cannot force every company to stay.

The "Labor Committee" should direct their efforts to finding ways to get businesses to expand and employ more people rather than enacting "make me feel good" laws that have the opposite effect. Unlike government agencies that can just access taxpayers to finance their operations, a business has to sell a product that a consumer can afford in order to remain in business. Please, reconsider and do not make it more difficult to do so.

Respectfully,



Sal Geraci  
Vice President/Owner

PLASTICS AND CONCEPTS  
OF CONNECTICUT INC

101 Laurel Trail  
Glastonbury, CT 06033-4055

February 24, 2011

To Members of the Labor Committee

Dear Committee Member,

Please appose SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees.

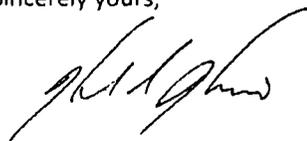
Almost all the businesses that will be directly affected by this bill already have a paid sick leave policy. By passing this bill into law you will be making paid sick leave a mandate instead of a benefit for the employees of these companies.

Connecticut employers have the expense of modifying their existing procedures to bring them into compliance and will not be able to control abuses of the system. Employers will also be subject to lawsuits when disgruntled employees allege that the employer's policy does not meet state requirements.

Connecticut has had 23% lower job growth than the rest of the states since 1990. (See attached chart) Legislation like mandatory paid sick leave has contributed to this job loss.

Please spend your time to eliminate mandates not increase them. Time is being wasted while people die for lack of jobs. The jobless are turning to drugs, alcohol and suicide because of the pressures of not having a job.

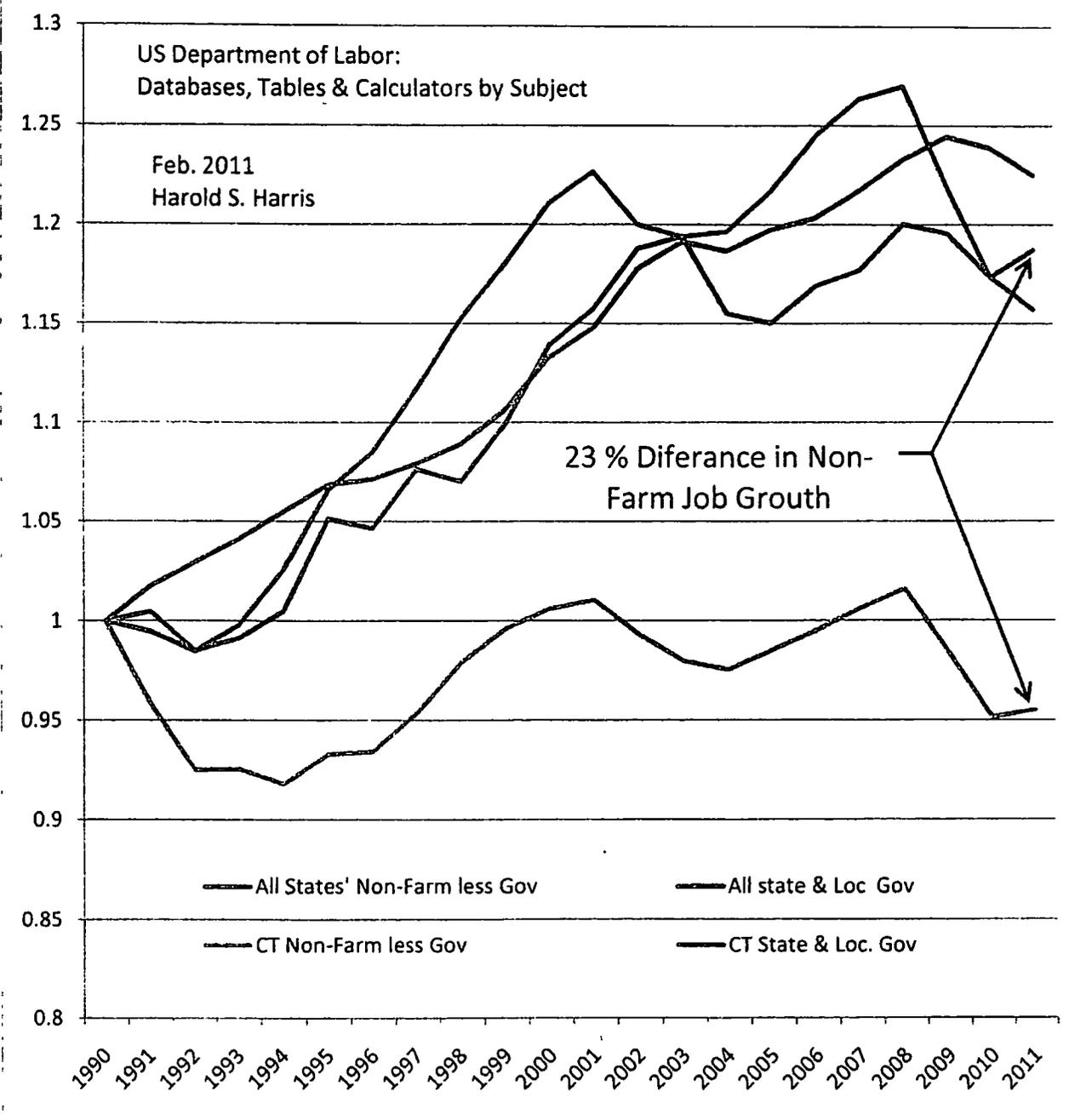
Sincerely yours,



Harold S. Harris  
Chief Engineer / Director  
Plastics and Concepts of Connecticut, Inc

Attached 1 Chart of Employment Feb 2011

**State Non-Farm Employment minus Gov. Employment  
Employment and All State and Local Government Employment  
relative to Jan 1990**





**To:** Members of the Legislature's Labor and Public Employees Committee  
**From:** Robert P. Williams, President  
**Date:** February 28, 2011

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**Re:** Reject SB 913: Mandatory Paid Time Off

**Message:**

Attempting to pass the Mandatory Paid Time Off bill given the current economics in Connecticut indicates a lack of understanding as to the impact on companies trying to recover from a devastating recession. Any attempt to support this harmful bill suggests a desire to support a political agenda rather than do what makes sense for business. Clearly this is no time to impose such a costly mandate on employers in the state. Connecticut lost more than 100,000 jobs in the recession and the state's official unemployment rate still stands at about 9%.

If passed, this proposal will:

- Make Connecticut the first state in the nation to mandate paid time off
- Make Connecticut businesses less competitive with those in other states
- Increase labor costs significantly if an employer provides anything less than the state mandate for sick time
- Prevent employers from using attendance and other personnel policies that conflict with the state mandate

Becoming the first state in the nation to mandate paid time off for employees would be a regrettable step backward, given the state's high unemployment, struggling economy and weak job-growth prospects. Other states have avoided it just because it is a job-killer.

If mandatory paid time off passes, many employers have said they will be forced to cover the extra costs by reducing employees' benefits, cutting their hours or even eliminating positions. That's a steep price to pay.

My company ships products across the country and competes with companies spread throughout the USA. We already in the top 5 states for energy cost, our medical insurance costs start higher and have risen faster than 2/3 of the remainder of the country. How can you expect small manufacturers to compete in this environment? These types of bills are forcing us to look at other parts of the USA when our lease is up in 2012. Can you afford to lose more jobs?

Please work on legislation that will help us be more successful, and the Mandatory Paid Time Off clearly does not fall into that category!!



Stop & Shop®

February 28, 2011

To Members of the Labor & Public Employees Committee:

On behalf of The Stop & Shop Supermarket Company LLC, I am writing concerning Senate Bill 913, "An Act Mandating Employers Provide Paid Sick Leave to Employees". The Stop & Shop Supermarket Company is one of the largest employers in the state of Connecticut with more than 12,400 full and part-time associates, most of whom are unionized. We are proud to offer competitive benefit packages to all of our employees. Our benefit packages include paid sick leave after applicable waiting periods. We have 93 stores in Connecticut and look forward to continuing to be a vital part of each community in which we operate.

Stop & Shop opposes Senate Bill 913 because it places an unfair burden on employers that already have comprehensive benefit packages in place that include paid sick leave. The collective bargaining agreements we have with our unionized associates address a wide variety of employee benefit and compensation issues, and by mandating that all employees accrue paid sick leave according to a one-size-fits-all formula the proposed bill would disrupt comprehensive benefit packages that have been specifically negotiated with and agreed to by our union associates. For the same reason, the proposed bill would be very costly and difficult to administer.

We care about our associates and we want to continue to offer these benefits to our valuable workforce. We need the flexibility to deal with the needs of our individual associates. This proposal, a "one-size-fits-all" approach, will unfairly burden companies like Stop & Shop that already have in place comprehensive compensation and benefit packages for their employees. We strongly urge you not to support Senate Bill 913.

Sincerely,

Mark McGowan

President Stop & Shop New England Division



Coburn Technologies, Inc  
55 Gerber Road  
South Windsor, CT  
06074 USA

Phone 860-648-6600  
Fax: 860-648-6811

February 28, 2011

State of Connecticut  
Labor and Public Employees Committee  
Room 3800, Legislative Office Building  
Hartford, CT 06106

To Members of the Labor Committee:

Coburn Technologies, Inc., is a newly formed business spun off by Gerber Scientific, Inc. on Dec. 31, 2010. We chose to keep our headquarters and operations in South Windsor on the campus off I-84 that was once the headquarters of Gerber Scientific, Inc. I am writing this today to voice my opposition to SB-913, which would mandate Connecticut employers to provide paid sick leave to hourly and non-exempt employees.

Coburn Technologies, Inc. is a privately held corporation employing about 100 employees in the State of Connecticut of which approximately 50 fall in to the classification of non-exempt. We are a small company struggling to provide benefits to employees comparable to what they had enjoyed previously as part of the larger Gerber organization. We do so, not because of any legal mandates, but out of a need to be competitive to attract and retain employees.

Our program provides paid time off for employees who are sick or who otherwise need personal time. We also write a check for any unused sick time as a bonus on any such employee's anniversary date. Our program also includes short and long term disability insurance that is provided at no cost to employees. However, you can be assured that if the sick leave mandate is imposed upon companies, the expense for providing such benefits will shift to employees in some other way, including the expense from the administrative hardships this legislation would cause; or even worse, companies will reduce their benefit offerings.

We do not need legislation and mandates that will further increase our business costs and force us to reevaluate the other benefits we provide to our employees. Such benefits have already been adversely affected by the economic climate, other mandates and rising costs to provide benefits.

We urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut

Thank you.

Sincerely,

Michael W. Dolen  
Vice President, Human Resources

## Connecticut Heating & Cooling Contractors Association

2842 Main Street #259, Glastonbury, CT 06033 • Phone (860) 533-1163 • Fax (860) 533-1165

[www.chcca.net](http://www.chcca.net)

MEMBERS OF: CBIA – NFPA – ICC

Established 1972



TESTIMONY OF  
JENNIFER JENNINGS  
EXECUTIVE DIRECTOR  
BEFORE THE  
LABOR COMMITTEE  
MARCH 1, 2011

### 2011

#### PRESIDENT

Eric D'Eramo  
ENCON  
1265 Woodend Road  
Stratford, CT 06010  
(203) 375-5228

#### PRESIDENT ELECT

Seamus Warakowski  
Tri City Heating & Cooling  
362 New Haven Avenue  
Milford, CT 06460  
(203) 874-5228

#### VICE PRESIDENT

Vacancy

#### PAST PRESIDENT

Joseph DeFusco  
Custom Mechanical Services  
92 Jeanette Street  
Bristol, CT 06010  
(860) 589-5471

#### EXECUTIVE DIRECTOR

Jennifer Jennings

#### DIRECTORS

Robert Besaw  
Edgerton, Inc.  
(203) 268-6279

Jim Chard  
F.J. Chard & Son  
(860) 675-8076

Gary Corliss  
Control Aire Supply  
(800) 443-2473

Hank Cullinane  
Clover Corp.  
(860) 528-0081

Jeff Leone  
Air Temp Mechanical  
(860) 953-8888

Bryan Mackenzie  
R & B Refrigeration  
(203) 453-6831

Steve Szyputski  
The Star Supply Co  
(203) 772-2240

#### LOBBYISTS

Gara & Markowski, LLC  
[www.qmlobbying.com](http://www.qmlobbying.com)

The Connecticut Heating & Cooling Contractors Association (CHCC) submits the following comments opposing SB-913, An Act Mandating Employers Provide Paid Sick Leave to Employees:

Our members generally provide heating and cooling services in the residential market, which has slowed down considerably due to the economy. This is the sixth straight year that permits for new home construction have declined. Renovations and remodeling projects have also slowed down due to the economy. The same holds true for the commercial sector as well.

Although some of our members have fewer than 50 employees, we are very concerned that the bill imposes a burdensome workplace mandate on employers that will ultimately be extended to even the smallest employers. This poses particular concerns for our industry.

Many heating and cooling companies invest significant time and resources into training apprentices. Beginning apprentices generally don't have the skills to contribute significantly to the job. Each apprentice on the job site also has to be closely supervised by a licensed journeyperson. Employers are also required to pay apprentices good wages with built-in increases, which are subject to the approval of the state Department of Labor. Adding the cost of paid family leave on top of other apprenticeship training costs may discourage employers from providing apprentices with hands-on training opportunities.

In addition, mandating paid leave days for employees on prevailing wage jobs is duplicative and would result in benefits available to workers on top of prevailing wage benefits. The prevailing rate is required by law to include a base rate and a fringe benefit rate which may be paid in cash or benefits.

The cyclical nature of the construction industry also makes a one-size-fits-all sick leave mandate particularly burdensome. In the construction industry, workers are sometimes hired to perform work for a limited duration on a particular job. Contractors that bid on construction projects have to have some certainty as to what their labor costs will be in order to accurately bid the project and meet project deadlines. If workers are out sick, replacements need to be hired to keep the job on track. Consequently, the construction trades, including union shops, generally institute "No Show, No Pay" policies.

For these reasons, we ask you to please **REJECT SB-913**.

*CHCC is a trade association whose objectives are to strengthen and further trade relations, attract, educate and train necessary manpower, represent members at all levels of government and review and establish quality standards and procedures. The association represents over 125 Heating & Cooling Companies in Connecticut.*



*Southern New England*

*90 Hawley Avenue  
Milford, CT 06460  
PH: 203-783-1980  
FX: 203-783-1982  
<http://ceofocus.com>*

February 28, 2011

To: Members of the Connecticut Legislature's Labor and Public Employees Committee

Subject: Reject SB 913: Mandatory Paid Time Off

Greetings,

Reject SB 913! Business does not need more regulation and workers do not need a guarantee of paid time off. Businesses left to themselves will look out for their workers. The cost of compliance with unnecessary and unwarranted regulation, such as SB 913, is one of the greatest detriments to a healthy and productive workforce. The cost in money and opportunity of SB 913 is bad enough. Add to it the means for people to subvert "pay for performance" and open the door to litigation for real and imagined non-compliance and you have the freedom of business being violated and the potential for sustainable success and growth marginalized.

I cannot fathom how this committee can incur the opportunity cost of putting forth additional regulatory requirements on private business. It is mystifying how people of good conscience can so blatantly ignore the opportunity to make smart moves for real beneficial change (like in North Carolina, Georgia, Texas, Virginia, Kentucky & Minnesota for example) and instead waste taxpayer time and money attempting to prescribe behavior for free enterprise.

If you can't legislate beneficial change, legislate nothing!

Reject SB 913!

Sincerely,

A handwritten signature in cursive script that reads "Jeff Roblyer".

Date: 2011.02.28 16:07:25 -05'00'

Jeff Roblyer

President



Centrix Incorporated

770 River Road  
Shelton, Connecticut 06484  
USATEL 203 929 5582  
FAX 203 944 2872  
TOLL-FREE 800 235 5862

February 28, 2011

To Members of the Labor Committee:

My name is Donna Rees, Vice President of Human Resources and Information Technology for Centrix, Inc., a manufacturing company located at 770 River Road in Shelton, CT.

I am writing to you to voice my opposition to SB 913, which requires Connecticut employers to provide paid sick leave and mandates how they need to do so. Centrix already provides its employees with a generous paid leave policy. This proposal WILL substantially increase our business costs and could force us to reevaluate the other benefits we provide our employees. If this bill passes, Centrix would have to make some tough choices.

Over the past few years, Centrix has been doing its part to create more jobs in Connecticut by carefully evaluating our people needs and then hiring 15 men and women in positions that never existed before at Centrix. In our current economy we feel fortunate to have been able to make these choices. However, we need the flexibility to determine what paid time off policies work for our company and in our industry--for financial, competitive and productivity reasons. The resources that would be required to implement and maintain this mandate would require Centrix to cut back on our employee recognition and rewards programs, tuition reimbursement and other training and development programs, all of which we believe are more valuable to both Centrix and our employees, as well as the State of Connecticut, than mandated sick leave. I think our employees would agree!

We already juggle both state and federally mandated regulations regarding FMLA, WC, ADA, COBRA, etc. When will we learn that placing unnecessary burdens on the employer does not necessarily achieve the desired result for the employee? How many more businesses have to close or move out of CT before we realize that many, if not most, CT employers and employees are already working effectively together for their mutual benefit, and mandates like this one can jeopardize that delicate relationship.

Mandating paid sick leave will force Centrix to take what we believe to be several steps backward in the evolution of our relationship with our employees. Our current paid leave policy does not require an employee to make a distinction as to why he or she needs leave—whether they are sick, or they have relatives in town they want to spend some time with, or they have a dental appointment. Our policy also pays the employee for any unused leave at the end of the year—this would have to be discontinued. We would have to break out sick and personal leave, and may have to do away with personal leave altogether. In addition, we would have to start requiring documentation (more loss of trees and increased healthcare costs passed on to employees!) substantiating the reason an

employee needs time off to try to prevent abuse. We will no longer be able to effectively use attendance as a criteria in employment decisions—a critical component to productivity and the success of our business.

I cannot urge you enough to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Donna Rees". The signature is fluid and cursive, with a large initial "D" and "R".

Donna Rees  
VP, Human Resources and  
Information Technology

# Denham Craft, Inc.

BARREL ELECTROPLATING  
METAL FINISHING OF ALL TYPES



EAST WATERBURY ROAD  
Naugatuck, Ct. 06770  
(203) 729-8244  
(203) 757-8273

February 28, 2011

To: Members of the Legislature's Labor and Public Employees Committee

Subject. Reject SB 913. Mandatory Paid Time Off

Doesn't it seem ridiculous in the state of this economy, that once again you, our legislatures, in the Labor Committee would raise the mandatory paid time off bill again! At what point in time will you recognize this continues to scare off potential businesses that might be willing to move into this region We are a sick state as are many others throughout this nation It doesn't make sense for Connecticut to be the first to implement such a bill. Will it increase our costs? How can it not!

We have vacation time and sick pay time and we have less than 50 employees but I don't wish that on every business and industry in this state. Some businesses are lucky enough to have profits that can support these benefits. But I must say, it becomes more difficult each and every year. What's more important? Healthcare benefits, reduced healthcare benefits or additional paid time off. I know what my answer would be, what about you?

Implementing this bill will have an effect on my business. With the continued decline in the manufacturing segment of our economy due to the regional high costs as well as foreign competition we have less and less companies to offer our product and services to Do you believe implementing this bill will improve that?

Based on arguments that have been present to date, we should not have sick people visit the doctor's office as they may infect the office staff Also our children with colds should not attend preschool or afterschool programs as they will also potentially infect their teachers and caretakers. We really don't have to worry about teachers in elementary and junior high school and high school systems as we already know that they have plenty of time off. So, now will it come to the point that another bill will be raised so that the parents of those children are allowed to also have a paid sick day?

So let's go back, when is sick, really sick, and who is going to define it? How will we know if they have been sick? Will we need doctor's notes? You see how well that works in Wisconsin. Would you need to

see receipts for the cold remedies that they may have purchased? Who is to say and what is the barometer as to what sick is?

We are a regional business that relies on local companies to provide us with products to service. We presently rely heavily on our neighboring states to provide us with enough work to maintain our employment level. Your committee continues to regulate businesses large and small out of this region, this is unacceptable. I can only hope that your leadership once again does not allow this bill the light of day. We like living in Connecticut, we would like to continue doing business in Connecticut, we would like to keep our children in Connecticut but if things continue to go in this direction the manufacturing exodus will continue, which will affect jobs and unemployment. Keep in mind every manufacturing job supports an additional 3 to 4 service sector jobs.

Again as it has in the past, this bill will come out of committee, you will feel good about yourselves, at the expense of the working class who will continue to go unemployed. If you think we all have extra people available to us at any moment to replace those who claim to be sick you are sorely mistaken.

Respectfully,



Patrick Hayden

President



February 24, 2011

Dear Members of the Legislature's Labor and Public Employees Committee,

Memry Corporation is writing in strong opposition to the SB 913 legislation that would mandate employers to provide paid sick leave to their employees.

The SB 913 act will greatly increase our company's expenses. In order for us to afford to pay the increased costs we may have no other choice but to start eliminating positions and/or reduce pay. Employees benefit options may be limited as well.

Since this law is not in effect in other states, Connecticut businesses will have a tough time competing with companies in other locations due to their increased expenses. This would make it very difficult for companies to expand and continue growing.

Memry Corporation strongly feels that this bill will adversely affect our labor costs and our ability to stay competitive during these difficult economic times. Please take our views into consideration. Do not hesitate to contact me if you have any questions or if I may be of assistance in any way.

Sincerely,

A handwritten signature in black ink that reads "Marcy Macdonald". The signature is written in a cursive style with a large, stylized initial "M".

Marcy Macdonald

VP of Human Resources & Corporate Secretary

February 28, 2011

To whom it may concern:

I am writing to this department to express my concern in rejecting SB 913. I am a very small business owner with limited employees. We are primarily a service business and it is crucial to this business that employees produce daily to cover the high overhead that we all face. I cannot justify paying people who could inevitably take advantage of the paid sick time.

As a service business we totally depend on people to show up at work and perform their duties. If they are out personally or sick, they can make it up on alternate days. This is crucial to the type of business I own. Please do not pass this law as it could be so detrimental to so many businesses in CT. We are all struggling to make the taxes, high utilities, high workmen's comp, high rent expenses, high inventory and supply expenses. As a citizen of the state of Connecticut, I am very concerned about our future businesses. It is very sad and upsetting to see some really great businesses fold and leave vacant store fronts. I really feel the state should take a pro-active attitude and try to encourage businesses to come here and employ all those people who want to work in this state. Give tax breaks and incentives to us. Not punish us with more to think about and another cost to the burden we already carry.

Sincerely,

Lisa Mizzone

March 1, 2011

To the Members of the Labor & Public Employees Committee:

We the undersigned businesses employing hundreds of people in the state of Connecticut urge you to reject Senate Bill 913 An Act Mandating Employers Provide Paid Sick Leave to Their Employees.

Especially during the worst economic downturn since the Great Depression, with businesses struggling to stay open and more than 100,000 Connecticut people already out of work, SB 913 is poorly timed and much too costly.

If passed it will:

- Raise the cost of doing business significantly for many employers and add unwarranted costs to those struggling in this economy
- Force some employers to reduce other employee benefits or wages to pay for it
- Cause some employers to abandon their plans for job creation, capital investment and other actions needed to make our economy grow again
- Make Connecticut uncompetitive by sending the message that the state is unfriendly to business

As employers, we literally cannot afford the price of this legislation; Connecticut also cannot afford to be seen as the first state in the nation to pass such an anti-jobs measure.

Businesses in Connecticut are doing everything they can to keep their doors open, hold onto jobs, and create more. This measure will endanger all of those efforts.

That's why we strongly urge you to reject SB 913.

Thank you.

Sincerely,

Abercrombie, Burns, McKiernan, Darien  
 Alloy Engineering Co., Bridgeport  
 Bicorn Electronics Company, Canaan  
 Coilplus CT, Waterbury  
 Company Insurance, Inc., Darien  
 Darter Specialties, Inc., Cheshire  
 H&T Waterbury, Waterbury  
 HDB, Inc., Winsted  
 Hubbard-Hall, Waterbury

J & M Safety Consulting, LLC, Waterbury  
 Marion Manufacturing, Cheshire  
 Orange Research Inc., Milford  
 Platt Brothers, Waterbury  
 Schwerdtle Stamp Company, Bridgeport  
 Stevens Company Inc., Thomaston  
 Traver IDC, Waterbury  
 Whitcomb Business Corp., Danbury

March 1, 2011

To the Members of the Labor & Public Employees Committee:

We the undersigned associations representing thousands of Connecticut businesses employing hundreds of thousands of people in the state urge you to reject Senate Bill 913 An Act Mandating Employers Provide Paid Sick Leave to Their Employees.

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Businesses in Connecticut are doing everything they can to keep their doors open, hold onto jobs, and create more. This measure will endanger all of those efforts.

That's why we strongly urge you to reject SB 913.

Thank you.

Sincerely,

Associated General Contractors of Connecticut (AGC)  
Bridgeport Regional Business Council  
Central CT Chambers of Commerce  
Chamber of Commerce of Eastern CT  
Cheshire Chamber of Commerce  
Connecticut Alarm and Systems Integrators Association  
Connecticut Asphalt and Aggregate Producers Association  
Connecticut Association of Health Underwriters

Connecticut Association of Plumbing, Heating and Cooling Contractors  
Connecticut Bankers Association (CBA)  
Connecticut Benefit Brokers  
Connecticut Business & Industry Association (CBIA)  
Connecticut Construction Industries Association, Inc.  
Connecticut Environmental and Utilities Contractors Association  
Connecticut Heating and Cooling Contractors  
Connecticut Ready Mixed Concrete Association  
Connecticut Retail Merchants Association (CRMA)  
Connecticut Road Builders Association  
East Hartford Chamber of Commerce  
Fairfield Chamber of Commerce  
Glastonbury Chamber of Commerce  
Greater Danbury Chamber of Commerce  
Greater Manchester Chamber of Commerce  
Greater New Haven Chamber of Commerce  
Greater Norwalk Chamber of Commerce  
Greater Valley Chamber of Commerce  
Home Builders Association of CT, Inc. (HBA)  
Independent Electrical Contractors of New England  
Independent Insurance Agents of Connecticut (IIAC)  
Metal Manufacturers' Education and Training Alliance (METAL)  
MetroHartford Chamber of Commerce  
Middlesex Chamber of Commerce  
Milford Chamber of Commerce  
Motor Transport Association of Connecticut  
Movers & Warehousemen's Association of Connecticut  
National Federation of Independent Business (NFIB)  
Naugatuck Chamber of Commerce  
Newington Chamber of Commerce  
North Central CT Chamber of Commerce  
Northeastern CT Chamber of Commerce  
Northwest Connecticut's Chamber of Commerce  
Quinnipiac Chamber of Commerce  
Ridgefield Chamber of Commerce Inc.  
Shoreline Government Affairs Committee  
Simsbury Chamber of Commerce  
Smaller Manufacturers Association of Connecticut, Inc. (SMA)  
Society for Human Resource Management  
Southington Chamber of Commerce  
The Business Council of Fairfield County  
The Chamber of Commerce, Inc./Windham Region  
Tolland County Chamber of Commerce  
Waterbury Regional Chamber of Commerce  
Watertown-Oakville Chamber of Commerce




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CITIZENS FOR ECONOMIC OPPORTUNITY  
Corporate Responsibility Campaign

My name is Karen Schuessler and I am the Director of Citizens for Economic Opportunity (CEO). CEO is a coalition of community and labor groups addressing health care reform and corporate responsibility.

I strongly support S.B. 913, an act mandating employers to provide paid sick leave to employees. It's no secret that times are tough for working families and family budgets are tight even though people are working more hours than ever. In addition, with the job market struggling now, many people cannot afford to be choosy and are forced to work for employers who do not provide paid sick leave. Unfortunately, most of us get sick at some time or another and no one should have to make the choice between taking that much needed time off from work due to illness and maintaining their job.

A friend of mine, who held a number of positions in the food service industry, recounted to me the stark contrast between jobs that she held in food service. Her first food service job was with a health care center. There, foodservice workers (and healthcare workers), both full and part-time, received fair wages and "good" benefits, including paid time off, paid sick days, and health insurance. After thirty days of employment, she was entitled to one paid sick day per month of employment. In her second year she was afforded even more. She stayed at that job for two years and it served her well as she continued her education at college on a part-time basis. Subsequent food service industry jobs, including work in casual fine dining and diner establishments afforded her no benefits. At times, her restaurant work required her to work protracted double shifts. She can remember going to work sick, when it would have been best to stay home, but it was simply not financially viable to make a more responsible decision. She is astonished that, today, there are still many workers in the health care and food service industries that are not being fairly compensated for their efforts. All regular and dedicated workers deserve paid sick leave and health care benefits. Hand-washing, as important as it is, only goes so far.

Paid sick days are good for business because healthy workers are crucial to a productive economy. According to a report by the Institute for Women's Policy Research, 553,000 Connecticut workers lack paid sick days, which is 39% of the private-sector workforce. The report also states that 18% of Connecticut's workforce does not have access to paid leave of any kind, and would receive paid sick days under the bill. Nationally, if workers were offered seven paid sick days a year, our national economy would experience a net savings of \$6.1 billion a year due to increased productivity and reduced turnover. A report by the National Partnership for Women and Families found that when sick employees come to work, it costs employers an average of \$255 per employee per year. By providing paid sick days, businesses benefit from increased worker loyalty and reduced turnover. The director at a small New York City restaurant recently testified at a Congressional briefing and estimated that turnover costs in the restaurant industry total about \$1,000 per employee. She said that because her business offers paid sick days and other good benefits, their turnover rate is only 30% annually which is



substantially less than the industry standard of 200%. According to an article published by the Society for Human Resources Management, the practice of sick employees coming to work costs employers \$180 billion annually, which is more than the cost of absenteeism.

The Institute for Women's Policy Research has released research showing that following the implementation of paid sick days in San Francisco, the city maintained a competitive job growth rate. The Drum Major Institute, a non-partisan, non-profit public policy think tank reports that not only was there no negative impact from San Francisco's paid sick days law, the number of businesses has grown in the city as well. In fact, business growth was greater in San Francisco than in neighboring counties for both small and large businesses, including those industries impacted by sick leave, such as food service. In the restaurant industry, employment increased by 3.9% in San Francisco the year after the law took effect.

In conclusion, paid sick time is not only about protecting the workers that are sick, it is about protecting those that are not.

Karen Schuessler  
Director  
Citizens for Economic Opportunity  
860-674-0143



TESTIMONY REGARDING  
Senate Bill 913 – An Act Mandating Employers Provide Paid Sick Leave to Employees  
Before the  
Joint Committee on Labor and Public Employees  
March 1, 2011

Massachusetts Mutual Life Insurance Company (“MassMutual”) strives to provide a productive workplace for our entire workforce, including our approximately 1,700 talented employees located in Enfield, Connecticut. Our work environment capitalizes on the talents and contributions of all employees which enables us to provide exceptional service to our customers. We have an array of benefits and offerings to help employees achieve balance in their work and life. We respectfully submit the following testimony in opposition to Senate Bill 913 – An Act Mandating Employers Provide Paid Sick Leave to Employees.

MassMutual provides a generous paid sick time benefit. However, as a multi-state employer, MassMutual must oppose mandates proposed by the various states, as they impact our ability to effectively and efficiently operate multi-state worksites and treat our employees consistently. State mandates make it difficult to provide a common platform for employees’ compensation and benefits, prevent employers from treating their employees equally, create systems and communications hurdles and, in general, make it much less desirable to do business in Connecticut or any state that adopts mandates.

We respectfully request that the Committee *reject* Senate Bill 913 – An Act Mandating Employers Provide Paid Sick Leave to Employees. Thank you for your consideration of our position.

If you have any questions, please contact Kevin J. Rasch, Vice President and Assistant General Counsel, at 413-744-7208 or [krasch@massmutual.com](mailto:krasch@massmutual.com)

Labor and Public Employees Committee  
Testimony for Public Hearing, March 1, 2011

**SB 913**  
**AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO**  
**EMPLOYEES.**

My name is Jessica Martinez, and I drive a school bus in West Hartford. I am writing in support of SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees.

Drivers in West Hartford don't have paid sick days, and we don't make enough money to take unpaid days off unless it's an emergency. I see drivers come to work sick all the time. Sometimes we come to work very sick.

A year or so ago I had a serious infection in one of my teeth. On top of that, I needed surgery to fix the problem that caused the infection in the first place. My surgery was scheduled for a Thursday afternoon. I worked in the morning, and took the afternoon off unpaid. I was unable to come to work on Friday so I lost another day of pay. On Monday morning, I was still in a lot of pain.

Since I can't take strong pain medication when I'm driving a bus, and I can't take days off without losing pay, I had to go to work that day and I had to skip medication my doctor had prescribed. The pain was unbearable. I couldn't focus on anything else, which means I was distracted while I was driving. I'm lucky I wasn't in an accident.

If I had paid sick days, I definitely would have used one that day. I don't want to see children put in danger because their driver can't take a day off. Please support paid sick days for us and for the safety of the children we drive.

Jessica Martinez  
207 Grandview Terrace  
Hartford, CT 06114  
860.904.6613s

Date: March 1, 2011

To: The Members of the Labor and Public Employees Committee

Re: SB 913

My name is Christine Burke, and I am a school bus driver in Salem. I've been driving for 13 years.

I urge you to support **SB 913 AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES.**

One day when my daughter was 11 months old, she had such a severe fever that I took her to the doctor. With my daughter so sick, I thought it best that I call out of work to stay home and take care of her. Management told me that there was no one to cover my bus run and that I would need to come in to work. I drove all day with my son and my sick, miserable daughter on the bus.

Just as I pulled into my driveway after work, my daughter had a seizure. I later learned that the seizure was caused by her high fever. At the time, of course, I panicked! I ran into the house to call 911 with my limp daughter in my arms, desperate to get her help. I was in such a frenzy that I forgot all about my young son who I left in the car.

I can't help but think that if I had been able to take the day off and keep my daughter hydrated and cool at home, my family might not have gone through this terrible experience. Fortunately my daughter was ok. Things could have been a lot worse, but if we don't do something to ensure that drivers can take the sick time they need, things like this will keep happening.

This is my worst experience as a driver without sick time, but it isn't my only one. We need paid sick days. Our health depends on it.

Christine Burke  
121 Buckley Road  
Salem, Ct 06420



To Members of the Labor Committee:

My name is Shawn Reilly; I am the director of operations at Eli's Restaurant Group. We have four restaurants, three in Hamden and one in Branford, Connecticut. We currently employ around 275 full and part-time employees.

I am writing to voice my opposition to SB-913, which would require Connecticut employers to provide paid sick leave. As you may or may not know the hospitality/restaurant business works on a very small profit margin. This proposal would not only increase our costs but it would be a little bit of a circus to manage. My concern is not only for my business but my underrepresented industry, an industry that is a major employer in this state.

On a given day if "Sally" calls in sick I would have to replace Sally, if not you would have to wait 15 minutes for your ice tea. Sally doesn't work in a cubicle that would just remain empty for the day. So I would have to pay Sally and Sally's replacement for the day, DOUBLING my labor cost. And what would I pay Sally? She is a tipped employee; \$5.69 per hour plus tips. Would she get a % of her lost tips? And where would that number come from? A weekly average? A monthly average? And how many hours would I pay her for? A "typical" shift is between two and eight hours. Even worse when "Joe", the fourteen dollar an hour line cook, calls in sick I would have to replace him (unless you want to wait 30 minutes for your burger). Now I am in effect paying someone \$28.00 dollars an hour to cook your hamburger, you do the math.

We have projected that one of our businesses is going lose money this year; another unseen expense could force us to close that business. Another one of our other businesses has around fifty hourly employees. Were this bill to pass I would trim the staff to below the fifty person mark, putting people on the streets. Moving forward it would also force us to change our vacation policy, cutting back the benefit. Not only would this bill consume a large amount of time and energy that could be used to increase our business but it most definitely would force us to reevaluate our strategy for expansion in a state that has becomes more and more business "unfriendly" each year.

I urge you to reject this proposal and work with the business community to control labor and workplace costs in Connecticut. Thank you.

Signed,

Shawn V Reilly



**Testimony before the Labor and Public Employees Committee- SB 913**

March 1, 2011

Good afternoon, my name is Anthony D'Elia. I am co-owner of two family owned and operated restaurants in Waterbury- San Marino Ristorante Italiano and Nino's Trattoria. One restaurant has been operating for over 20 years, the other over 40.

As you well know there are many challenges in trying to run a successful restaurant. Not the least of which is trying to maintain a consistent staff. Consistency is important in all industries, especially in the restaurant & hospitality industry. Customers need on the spot attention. If our establishments are not properly staffed, this cannot happen. The burden of trying to replace staff due to last minute call-ins, along with the extra expense could be very detrimental to our industry.

Small business is supposed to be the back bone of our State. I find it difficult to see how we can continue to be without your support. SB 913 is one of many bills we can do without.

Thank you for your consideration.

# a thyme to cook

catering and special events

426 northwest corner road  
north stonington, Connecticut 06359  
860 887.5932 - 860.886.6865 f

www.athymetocook.com

SB913

I own A Thyme to Cook, Inc., a 27 year old catering and event design company in Southeastern Connecticut. Our predominant business is catering weddings, fundraising galas and celebrations from April through November.

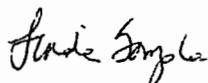
Our business requires a minimal full time staff (year round), while employing up to 150 "on call" staff during our busy season. Being on the shoreline, there are numerous businesses that are seasonal. This paid sick time bill will be devastating for A Thyme to Cook and all those other seasonal companies that provide shoreline food service.

I cannot pass this additional cost on to our clients, as we are already dealing with decreased volume, due to the weakened economy and I cannot afford to meet additional payroll expenses for employees who do not report to work.

If an employee calls in sick, we are essentially paying double since we need to find a replacement for that absent employee. We are a business that specifically employees staff on an "as needed" basis. We request specific employees to work at specific times and they then choose whether they will accept that assignment or not, depending on their own personal schedule. We do not have set schedules for our employees and to include us with businesses that do is unjust and unfair.

Please consider voting against this bill as it will certainly prevent us from thriving within our industry and making Connecticut stronger.

Sincerely,



Linda Sample  
President

feed your passion feed your senses feed your fantasy



Testimony of Ellen Small Billard, MSW  
 CABHN Coordinator, Legal Assistance Resource Center of Connecticut

Labor and Public Employees Committee  
 In support of S.B. 913 An Act Mandating Employers to Provide Paid Sick  
 Leave to Employees

March 1, 2011

Good afternoon Senator Prague, Representative Zalaski, and members of the committee. My name is Ellen Small Billard, and I am the coordinator of CABHN, the Connecticut Alliance for Basic Human Needs. Thank you for the opportunity to testify today. I am here to support SB 913 An Act Mandating Employers to Provide Paid Sick Leave to Employees.

CABHN is a network of organizations collectively devoted to helping individuals and families meet their basic needs. It is for that reason I am here to support this bill. I believe it addresses two very important basic needs: the need to care for yourself when sick and the need to care for the health of your family—two very important needs that you and I likely take for granted.

Because an estimated 553,000 Connecticut workers do not receive a single paid sick day all year, **this is an issue that cannot be ignored.**

Denying families access to paid sick leave is not only a public health risk, but it is also an unwise business practice. I would encourage you to **remember the following three reasons why Paid Sick Days is the right choice for Connecticut** when considering this bill.

- 1.) **Paid sick days promote better public health.** When workers go to work sick – preparing our food, driving our children to school, caring for older adults – they share their germs with everyone, leading to more rapid outbreak of devastating illnesses such as the H1N1 virus. *This defies common sense.*
- 2.) **Paid sick days promote greater family economic security.** 77% of low-wage workers lack paid sick days. These are the very workers we need to be most dedicated to helping keep stable jobs to support their families and move out of poverty into economic stability. In today's challenging economy, the Governor

and the Legislature are increasingly committed to creating and maintaining jobs for Connecticut workers. *Why, then, shouldn't we pass legislation that makes it easier for families to maintain gainful, stable employment?*

- 3.) **Paid sick days save employers money in the long run.** SB 913 requires workers to accrue paid sick hours over the course of one year and places limits on when employees can begin to utilize this time. It by no means encourages – or allows – workers to abuse this benefit. In places where paid sick days legislation has passed, no adverse effects to businesses have been demonstrated. On the contrary, in San Francisco, employment in the restaurant industry increased 3.9% after the law took effect. Other studies have shown the savings provided by paid sick days outweighs the costs by over \$3.50 per employee per hour.

Connecticut encourages individuals to stay home from work or school if they are sick. **Why do over 500,000 workers in Connecticut not have this option?**

Instead of staying home to recover from the flu and protect their customers and co-workers from infection, Connecticut's food service employees must go to work sick or lose vital income and perhaps risk losing their job. Our school bus drivers must still show up to drive our children to school.

Instead of staying home to recover and receive the loving care of their parent, children whose parents lack paid sick leave must attend school despite their illness, delaying their own recovery and exposing their peers to illness. **Parents so often must choose between caring for a sick child and keeping their job.** Between holding their crying child when they are shivering with fever and paying the rent. *What would you do if you were faced with this choice?*

Unfortunately, **44% of Connecticut's workforce does not have a choice.**

Today I urge you to make a tremendous difference in the lives of thousands of Connecticut's hard-working parents by helping them better care for themselves and their families.

Providing employees with paid sick days is a benefit that everyone will reap. It increases workplace productivity and patron safety as employees are most productive when they are well and customers of service industry businesses are best protected when those preparing their food are healthy.

Please support **S.B. 913 An Act Mandating Employers to Provide Paid Sick Leave to Employees.** Thank you for your time and attention to this bill.

Council 4 AFSCME Testimony

Labor Committee

3/1/11

My name is Brian Anderson. I am a legislative and political representative for Council 4 AFSCME, a union of 35,000 Connecticut public and private employee members.

**Council 4 supports SB 913, AA Mandating Employers Provide Paid Sick Leave To Employees.** The respected Institute for Women's Policy Research estimates that only 60% of Connecticut's workers have sick leave. That means that over 655 thousand workers in our state do not. Institute research shows that granting sick days economically benefits workers, employers and our society in the long run.

Economic benefits aside, this is a common sense public safety bill. When workers report to work sick, there is a good chance that they may spread the sickness. This makes even more workers sick and risks spreading the illness to even more people. This is a particular problem when these workers are in service industry jobs such as working at a restaurant, hotel or retail establishment. A sick worker could unwittingly and unintentionally spread the flu or other ailment to the very customers that they serve. Unfortunately, it is workers in just such jobs that often are not given paid sick days off by their employers. **We submit a fact sheet from the U.S. Department of Health and Human Services concerning the deadly avian flu. It says "The Centers for Disease Control ... and other leading public health experts agree that it is not a question of IF a pandemic will occur, but WHEN it will occur."** It goes on to say in comparing an avian flu outbreak to the 1918-1919 flu pandemic that "if a pandemic of similar severity occurred today,... two million Americans could die." This bill will safeguard the public.

**Council 4 also urges you to pass:**

**SB 6428, AAC State Financial Assistance and Employers that Have Transferred Jobs Out of the State**

This bill states that a corporation that receives state financial aid, and then transfers work out of state or lays off workers during the period that they are receiving state financial aid must pay the state back along with a 5% penalty. This is common sense in its most basic form.

Thank you for your consideration. I would be happy to answer any questions.



Louis Lista, Owner of The Pond House restaurant, Hartford  
Testimony for Labor and Public Employees Committee  
In support of SB 913 - AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES.

March 1, 2011

To the co-chairs and members of the Labor and Public Employees Committee:

My name is Louis Lista. I live in Hartford and I am the owner and manager of the Pond House Café located in Elizabeth Park in Hartford. I am also a member of CBIA, the Connecticut Business and Industry Association.

The Pond House opened in 1999. Like a lot of restaurants, when we first opened we wanted to keep operating costs as low as possible. This meant very few benefits for employees, no healthcare and no sick days. We learned pretty quickly, however, whatever we were saving by not providing those benefits we ended up spending on employee turnover. The restaurant industry is known for this, and with good reason. Without providing some of those benefits, we had no way to attract and retain staff. Sure, we could usually find new employees to replace the ones who left, but it took time and money away from other things we could have been doing to promote the businesses.

So a couple of years later in 2003 we decided to take another look at the issue of providing benefits like sick days and healthcare. We began offering those benefits and pretty soon we could see the difference it made in terms of attracting dedicated staff people and keeping them happy. Instead of needing to replace employees every month or so, our staff began to see their job at the pond house as a career. Right now we have some employees who have been on staff for 8-10 years or more. We even have dishwashers who have been on for over 6 years.

Looking back at the past seven years, I've learned my initial assumption that providing these benefits would be too costly, was wrong. I didn't realize then how much turnover was a drag on our cost structure and how costs could be reduced by providing decent benefits for employees. Particularly in these difficult economic times, we've found that having a stable workforce with a good working knowledge of how our business operates has been beneficial in keeping us profitable and growing. It has enabled us to effectively develop new approaches to attract more customers, and has enabled us to effectively keep our current customers coming back by increasing customer satisfaction. It has also enabled us to evaluate how to change procedures and lower our operating cost without resorting to laying off workers or cutting benefits.

My experienced and dedicated workforce is due, in no small part, to the fact that I show respect to my employees by providing paid sick days. That has helped my business navigate the waters of this recession.

Some businesses may have an old-fashioned view that anything that is good for employees is necessarily costly for employers. But I think my business serves to prove that this is not a zero-sum game, and that providing decent benefits like paid sick days, even to workers in the food service industry, can pay real dividends for a business.

Paid sick days has a few other important benefits for our business. First, encouraging employees to stay home when they are sick reduces the spread of illnesses in the workplace. I would rather have one employee stay home for a day or two than have half of my staff catch the flu. This is especially true in a business where people prepare and handle food all day. The last thing I would want would be to infect customers by making sick people cook their food.

A restaurant without paid sick days is a public health disaster waiting to happen. According to the Center for Disease Control, of 21 million 'norovirus' (stomach flu) infections annually, fully half stem from ill food service workers. I find it astonishing that anyone would oppose restaurants providing paid sick, any more than they would oppose requiring meat to be fully cooked or requiring employees to wash their hands.

Lastly, I think this is just the right thing to do for my peace of mind. I just think that people should be able to go to the doctor when they're sick. They shouldn't have to come to work and expose other workers and customers to their germs. CBIA says that providing this kind of benefit is too expensive for some employers. I think most businesses would experience the same results as mine: lower turnover costs and higher quality staff. For me, the benefit for our business and the public benefits easily outweighs the cost.

Many employers in Connecticut (including many of the most successful) provide paid sick days because they have found the same results I have. Providing paid sick days has been a win-win for my business, my employees and my customer, and certainly not a burden.

I hope the members of this committee and the legislature and Governor will support SB 913. Thank you.

To the Committee for Labor and Public Employees

SUPPORT for SB 913, Paid Sick Days

My name is Joel Cruz. I am a resident of Hartford Connecticut. I am a minister and a veteran and currently work in the healthcare industry at the Charter Oak Community Health Center in Hartford.

The issue of paid sick days is important to me on a personal level because I think it is a basic issue of fairness and treating people with respect. No one should have to choose between their health and the job. To me this is what the term "family values" is all about.

In addition, as someone who works in the healthcare industry I know how important it is for individuals to get timely treatment for their illnesses. Not having paid sick days is one more barrier that can discourage individuals from getting timely medical care. For individuals with chronic medical conditions, this can be especially harmful and costly.

One example is asthma. Hartford has one of the highest rates of childhood asthma in the country. But many parents do not have the flexibility in their work schedule that would allow them to bring their children to regular primary care appointments for treatment and management of their child's asthma condition. What happens to these children? Their condition gets worse because they are not getting regular care and they end up in the emergency room. That is bad for their health, and costly for all of us.

Ensuring access to paid sick days for low-wage employees is important for ensuring access to quality healthcare services for this population.

Joel Cruz

139 Exeter Street

Hartford, CT 06106

3/1/11

Senator Tony Guglielmo  
Ranking Member, Senate Labor Committee  
Senate Republican Office  
LOB Room 3400  
Hartford, CT 06109

Dear Tony,

I am writing today to urge yourself and fellow colleagues to oppose SB 913, a mandate on Connecticut businesses to provide paid sick leave to employees. While I'm sure this bill was proposed with good intentions, the realities of its potential effects on all businesses, large and small in this state could be devastating.

As a small business owner, I have always given the best wages / benefits to my employees that were possible. I am a firm believer in the free market system, and the freedom of both the employee and employer to negotiate wages and benefits fairly and equitably. Setting a mandate on paid sick time will undoubtedly raise payroll costs as it removes the employer's right to develop the right mix of salary and benefit packages that work best for their company and their employees. All businesses should have the flexibility to provide these benefits based on what they can afford, and what competitive market forces demand, which enables them to attract and retain qualified personnel.

To put it simply, SB 913 is a jobs killing bill. If this bill is signed into law, it will only add on another costly layer of regulation for doing business in the state of Connecticut. Paid sick time is an employee benefit, not a requirement. It is a benefit that employees have the right to bargain or negotiate for. It is also that benefit that all employers have and ought to have such right, to offer and negotiate benefits freely without being forced to do so, as this costly legislation would require.

Sincerely,

Geoff W. Prusak  
Signs of All Kinds, LLC  
Manchester, CT

**CONNECTICUT MARINE TRADES ASSOCIATION**20 Plains Road  
Essex, CT 06475-1501(860) 767-2645 • Fax (860) 767-3559 • e-mail [cmta@snet.net](mailto:cmta@snet.net)

March 1, 2011

Labor and Public Employees Committee  
Legislative Office Building  
Hartford, CT 06106Re: S.B. 913 (RAISED) AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES

Chairmen Prague and Zalaski;

Distinguished Chairmen and Members of the Labor and Public Employees Committee, the Connecticut Marine Trades Association (CMTA) and their membership urge you to not support S.B. 913 and its unfunded mandate on businesses for paid sick leave. Connecticut is an at-will state which allows an employee or an employer to terminate employment with no liability. There are also statutory mandates that have been put in place over the years to include a minimum wage for employees in excess of the federal guidelines. Businesses must be allowed to make their own decisions on employee benefits.

In today's economy the focus should be on saving jobs, not putting additional, costly requirements on businesses and putting existing jobs in peril. Surviving businesses today have all they can do to make ends meet; many have closed their doors or reduced their work force significantly. If they have maintained their employee bases they are very fortunate. Additional mandates on an employer will, without doubt, cause some to reduce employees to a level below the mandated threshold. It should be noted that this iteration of the paid sick leave bill has a threshold of fifty employees but would be applicable to all types of businesses, despite the fact that even larger businesses can be significantly impacted if key employees are away from work without proper notice or warnings.

Increased minimum wages, mandated paid sick or personal leave time, or mandated primary health care certainly will benefit an employee and may encourage them to gravitate to or remain with, a generous business owner. Not all businesses can afford to provide these employee benefits and stay in business. There are a certain number of minimum wage businesses that have a place in society and they need a supply of minimum wage employees to meet their business plans. Without these employees or if the mandates on the employers were to be increased, these businesses would not succeed and the products and services they provide would no longer be available.

We urge you to not support proposed S.B. 913 (RAISED) AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES. This is not the time in the present economy to raise the costs and burdens on employers and businesses. They have all they can do to stay in business and support the workforce that they have. Additional requirements at this time would be inappropriate. We would be pleased to discuss this at any time. Thank you for your time and consideration.

Sincerely,

John S. Johnson  
Legislative ChairGrant W. Westerson  
President

**TESTIMONY OF THE**

**GREATER DANBURY CHAMBER OF COMMERCE**  
**MILFORD CHAMBER OF COMMERCE**  
**NORTHWEST CONNECTICUT CHAMBER OF COMMERCE**  
**CONNECTICUT COALITION OF PROPERTY OWNERS**  
**ALLIANCE OF CONNECTICUT YMCAS**  
**LUMBER DEALERS' ASSOCIATION OF CONNECTICUT**  
**CONNECTICUT MESSENGER COURIER ASSOCIATION**

**BEFORE THE LABOR & PUBLIC EMPLOYEES COMMITTEE**  
**1:00 PM, TUESDAY, MARCH 1, 2011**  
**ROOM 2A, LEGISLATIVE OFFICE BUILDING**  
**HARTFORD, CONNECTICUT**

Good afternoon, my name is Marshall Collins. I am appearing today in my capacity as Counsel for Government Relations for the above referenced organizations (hereinafter the "Organizations"). Collectively they represent approximately 3,500 employers in Connecticut. They include both for profit and not-for-profit employers.

Good Afternoon. **The seven above named organizations individually and collectively oppose SB 913 AA Mandating Employers Provide Paid Sick Leave To Employees.**

Whether employers are for-profit or non-profit entities, they all know that to compete for good employees, they have to offer benefits. Virtually all of the 3,500 member employers represented by these organizations offer benefits including paid sick leave to their full-time workers. However, mandating that they offer additional benefits to their part-time workers is expensive, can be an administrative nightmare, and may have little relationship to protecting the public. In the briefest terms, this bill is unnecessary and is bad for Connecticut.

In this deep recession, the additional cost to employers cannot possibly create one additional job. In fact it will cost many part-time workers their jobs as many companies would eliminate the part-time people and replace them with far fewer full-time workers.

The seven organizations do not necessarily see this as dramatically increasing the possibility for abuse. However, the bill is expensive regardless of whether the person uses the sick time or not. Companies have to reserve the funds to pay for the sick leave, and oftentimes to hire a replacement worker as well. Non-profits in particular would fail audits if they did not reserve funds to pay for accumulated sick leave.

Additionally consider the cost of tracking the hours of such individuals as the student who is a part-time worker who enters and reenters the workforce when home from school on vacations or breaks?

This proposal is in no way "business friendly." It increases the cost of doing business in Connecticut versus other jurisdictions without materially benefiting the public. Does anyone really believe that Connecticut will be able to reduce its 9% unemployment rate through the passage of this bill?

Finally, how is this consistent with Governor Malloy's message that "Connecticut is open for business?" SB 913 is another mandate on Connecticut employers. It takes certain benefits (sick leave) off the table as subjects of collective bargaining. This is one more one size fits all proposal.

Employers know what they can afford and what is best for their employees. When thousands of responsible employers, as are represented by these seven organizations, oppose the bill, it is safe to say that it will not make Connecticut more "business friendly."

**For these reasons and more, all seven organizations individually and collectively oppose passage of SB 913.**

This completes my testimony. Thank you for your consideration.

**COMMISSION OFFICERS**

Adrienne Farrar Houël, *Chair*  
 Cecilia J. Woods, *Vice Chair*  
 Denise Rodosevich, *Secretary*  
 Elizabeth Donohue, *Treasurer*

**EXECUTIVE DIRECTOR**

Teresa C. Younger

Connecticut General Assembly



**PCSW**

Permanent Commission on the Status of Women

*The State's leading force for women's equality*

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**Testimony of  
 The Permanent Commission on the Status of Women  
 Before the  
 Labor and Public Employees Committee  
 March 1, 2011**

**RE: S.B. 913, AA Mandating Employers Provide Paid Sick Leave to Employees**

Senators Prague and Guglielmo, Representatives Zalaski and Rigby, and members of the committee, thank you for this opportunity to provide testimony on behalf of the Permanent Commission on the Status of Women (PCSW) in response to the above reference bill.

S.B. 913, would require employers of 50 or more employees to provide paid sick leave to their employees for (1) the employee's own illness or need for preventative health care, (2) the illness of an employee's child, parent or spouse and (3) if an employee is a victim of family violence or sexual assault. Passage of this bill would positively impact the 550,000 employees in Connecticut who do not have access to a single paid sick day. The effects of this lack of paid sick leave span across all age brackets of women, including pregnant women, women with children and women caring for elderly parents.

Women and families are disproportionately affected by the lack of paid sick leave, in large part because most women remain the main caregivers of their families. If a woman needs to take a sick day for herself or a dependent family member but lacks paid leave, her options are limited: take unpaid leave and possibly risk her economic well-being or neglect her own health and/or the health of her loved ones.

**Pregnant Women**

Pregnant women that are in the workforce typically need more time off to take care of their prenatal health which is critical for a healthy pregnancy and the development of a healthy child. Babies of mothers who do not get prenatal care are three times more likely to have a low birth weight and five times more likely to die than those born to mothers who do get care.

In addition, nearly one third of pregnant will have some kind of pregnancy-related complication. Those who do not get adequate prenatal care run the risk that such complications will go undetected or won't be dealt

PCSW Testimony  
 Before the Labor and Public Employees Committee  
 March 1, 2011  
 Page 2 of 3

with soon enough. That, in turn, can lead to potentially serious consequences for both the mother and her baby.<sup>1</sup> Lastly, women with high-risk pregnancies conceivably need the most time off from work because they need to be monitored on a more regular basis.

*Gender Specific Data:*

- Typically a pregnant woman sees her doctor: once a month for weeks 4-28; twice a month for weeks 28-36; and every week after week 36 until birth.
- If a pregnant woman is over the age of 35 or is high-risk, she likely needs to see her doctor more frequently.

**Working Mothers**

Seventy-one percent of mothers with children under age 18 are in the workforce.<sup>2</sup> Working women are significantly more likely than men to take time off from work to care for a sick child. In the case of an urgently sick child, almost 78% of women take time off from work, while just 26.5% of men take off.<sup>3</sup> On average, working parents need to take around four days off per year to care for each school-age child, given the incidence of illness among school-age children.<sup>4</sup>

While paid sick days are important for women as caregivers, this reform is also essential in protecting women's economic security, family economic stability and the health of the general public:

Women's Economic Security - According to Forbes Magazine, because they need to care for sick children, 49% of women report they have lost pay or job promotions or have struggled to retain their jobs, while only 28% of men experienced the same problems. Job losses among low-income American women are most frequently the result of the birth or illness of a child.<sup>5</sup>

Family Economic Stability - As the earnings of women in the workforce have increased, so has their contribution to family income. In 2008, employed women in dual-earner households contributed an average of 44% of annual family income.<sup>6</sup> Therefore, without paid sick leave, the loss of a working mother's income could have a detrimental effect on her family's economic well-being.

Public Health - Parents' report that paid leave is the primary factor in their decisions about staying home when their children are sick. Parents with sick leave or vacation leave were 5 times as likely to care for their sick children as those who didn't have these employment benefits.<sup>7</sup> When parents cannot care for sick children and they must attend child care, it takes a toll on the health of the child, other children and child care providers. The effects are similar to having sick adults at work: increased contagion and higher rates of infection for all children in care.<sup>8</sup> Lastly, studies show that children recover faster when cared for by their parents. When parents can take leave to care for their children, children have a faster recovery time, and health care expenditures are reduced.<sup>9</sup>

<sup>1</sup> Kids Health, Medical Care During Pregnancy <[http://kidshealth.org/parent/pregnancy\\_center/your\\_pregnancy/medical\\_care\\_pregnancy.html](http://kidshealth.org/parent/pregnancy_center/your_pregnancy/medical_care_pregnancy.html)>

<sup>2</sup> Families and Work Institute, Times Are Changing: Gender and Generation at Work and at Home, 2009 <[http://familiesandwork.org/site/research/reports/Times\\_Are\\_Changing.pdf](http://familiesandwork.org/site/research/reports/Times_Are_Changing.pdf)>

<sup>3</sup> The American Association of Psychotherapy, Working Women More Likely Than Men to Stay Home With a Sick Child, Spring 2008 <<http://www.annalsofpsychotherapy.com/articles/spring08.php?topic=article5>>

<sup>4</sup> The National Partnership for Women and Families, Paid Sick Days are Good for Kids <<http://www.nationalpartnership.org/site/DocServer/Children.pdf?docID=124>>

<sup>5</sup> Forbes, U.S. Far Behind in Workers Rights, 2009 <<http://www.forbes.com/2009/11/19/paid-sick-leave-vacation-forbes-woman-leadership-workers-rights.html>>

<sup>6</sup> Families and Work Institute, Times Are Changing: Gender and Generation at Work and at Home, 2009 <[http://familiesandwork.org/site/research/reports/Times\\_Are\\_Changing.pdf](http://familiesandwork.org/site/research/reports/Times_Are_Changing.pdf)>

<sup>7</sup> The National Partnership for Women and Families, Paid Sick Days are Good for Kids <<http://www.nationalpartnership.org/site/DocServer/Children.pdf?docID=124>>

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.

*Gender Specific Data:*

- Seventy-five percent of women living in poverty do not get paid when they must miss work to care for a sick child.<sup>10</sup>

**Women Caring for Aging Parents**

Another segment of the population that is greatly affected by the lack of paid sick leave are working women that are caring for an aging parent(s). Additionally, studies show that the "sandwich generation" is growing fairly rapidly. The sandwich generation is comprised of working people that find themselves caring for both minor children and aging parents, the majority of whom are women. Women represent more than two-thirds of adults providing substantial assistance to elderly parents,<sup>11</sup> provide an annual average of \$1,521 in financial support to elderly parents, and spend an average of 23 hours a week (1,210 hours a year) providing care to elderly parents.<sup>12</sup> As Connecticut's elderly population grows, more workers will struggle to balance their work responsibilities with caring for their families.

*Gender Specific Data:*

- According to a new survey by the AARP- and MetLife-funded National Alliance for Caregiving, an estimated 43.5 million adults in the U.S. are looking after an older relative or friend. Of these, 43% said they did not feel they had a choice in this role. And although 7 in 10 said another unpaid caregiver had provided help in the past year, only 1 in 10 said the burden was split equally.<sup>13</sup>
- Middle-aged women, many of whom are employed, provide the majority of care to older frail, disabled, and chronically ill relatives. On average women who provide care to aging parents curtail their hours of paid work by 43% in order to do so.<sup>14</sup>

The increasing labor force participation of women, along with older relatives living longer but with chronic illness, raises important questions about how effectively and at what cost the roles of family caregiver and worker can be combined.<sup>15</sup> The PCSW believes paid sick leave is an essential workplace reform that will help working women of all ages balance their careers, their personal health and the health of their families without risking their economic well-being. We applaud the committee for your attention to this important issue.

<sup>10</sup> The Institute for Women's Policy Research, *Women and Paid Sick Days: Crucial for Family Well-being*, 2007 <[http://www.iwpr.org/pdf/B254\\_paidicksdaysFS.pdf](http://www.iwpr.org/pdf/B254_paidicksdaysFS.pdf)>

<sup>11</sup> Richard W. Johnson and Joshua M. Wiener, "A Profile of Frail Older Americans and Their Caregivers," Urban Institute, *The Retirement Project Occasional Paper Number 8*, February 2006 Table

<sup>12</sup> Charles R. Pierret, "The 'sandwich generation': women caring for parents and children," *Monthly Labor Review* September 2006, Table 2.

<sup>13</sup> Time Magazine, 2010 <<http://www.time.com/time/magazine/article/0,9171,1955601,00.html>>

<sup>14</sup> Richard W. Johnson and Joshua M. Wiener, "A Profile of Frail Older Americans and Their Caregivers," Urban Institute, *The Retirement Project Occasional Paper Number 8*, February 2006 Table

<sup>15</sup> The MetLife Study of Working Caregivers and Employer Health Care Costs, 2010 <<http://www.metlife.com/assets/cao/mmi/publications/studies/2010/mmi-working-caregivers-employers-health-care-costs.pdf>>

**Testimony Regarding SB 913  
Labor & Public Employees Committee**

To: Co-Chairs, Senator Prague and Representative Zalaski and all members of the Labor & Public Employees Committee.

My name is Michael Nicastro and I am the President & Chief Executive Officer of the Central Connecticut Chambers of Commerce headquartered in Bristol.

I offer the following testimony in opposition of Senate Bill 913, AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES.

The economic backbone of the communities that form the Central Connecticut Chambers of Commerce has historically been and hopefully will continue to be small to mid-sized manufacturers. We have numerous members that are family founded businesses and employee between 25 and 75 employees. So dense is this base of companies that the Chamber also serves as the organizational leadership for the New England Spring & Metal Stamping Association (NESMA).

Each and every one of the members of NESMA which are located in Connecticut along with all of our other small manufacturers and businesses have reached out to us to advocate for them by opposing this job killing and economy weakening bill.

I am attaching testimony from a CEO of one of our small manufacturers located in Southington, Mr. Mark DiVenere of GEMCO. As you will see, Mark has done his homework on this bill and understands the cost associated with the continual intervention by government in private enterprise.

From the Chamber's perspective we see the issue as more insidious and a continued evolution of de facto, government sponsored unionization. We have great respect for the role that organized labor plays in our state and nation. I personally grew up in a household where my mother's employment in a unionized factory was of great support to the family over the years. But that was a large organization and the employees chose to organize.

The only route to a full economic recovery for the nation and more importantly, Connecticut is the growth and diversification of our small business base. This will be the core from where any true economic recovery will be built and the place where it will need to be sustained. Bills such as SB 913 will continue to erode that potential for growth when many small businesses are just beginning to see signs of recovery.

Such a move in the face of the proposed and significant tax increases is unwise and will have negative consequences that will ripple across the state's economy and workforce. And while the legislation starts at 50 employees there is no question that advocates will push for the number to be lowered as soon as they have the opportunity to do so.

In reality most small employers have developed their own sick day policies and most know that taking care of their employees with good internal policies pays dividends over time. The last thing they need at a time when they should be focused on growing their businesses is a one size fits all policy that will drive up costs and continue to expand the invasive nature of government in small business.

It is our understanding that the original intent of such legislation some years back was to create an environment where people in food services would not come to work when sick and thus increase the risk of spreading food borne illnesses. If that is the goal then we would encourage the legislature to focus on just that issue.

SB 913 goes well beyond that fundamental concept and in many ways purveys the false assumption that without such a law the majority of small businesses will not do the right thing with regards to sick time. That assumption is as faulty and reprehensible as those who would argue that employees who have sick time will use it spuriously as vacation time.

For all of these reasons and more the Central Connecticut Chambers of Commerce opposes SB 913 and would encourage the Labor and Public Employees to reject the bill in its entirety.

Michael D. Nicastro  
President & Chief Executive Officer  
Central Connecticut Chambers of Commerce  
[m.nicastro@CentralCTChambers.org](mailto:m.nicastro@CentralCTChambers.org)



METAL STAMPINGS 555 West Queen Street Southington, CT 06489  
 WIRE FORMS ASSEMBLIES Tel (860) 628-5529 Fax (860)  
 628-9120 SPRINGS www.gemcomfg.com

To: Members of the Labor Committee and the 2010 Connecticut Legislature:  
 RE: SB-913

My name is Mark DiVenere and I am President and owner of Gemco Mfg. Co. Inc., a sixty-seven year old, third-generation manufacturing company located at 555 West Queen Street in Southington. I currently employ twenty seven highly skilled individuals. Gemco has survived the past two years despite an economic downturn, the likes of which this country has not witnessed in generations, by reducing costs and benefits, doing more with less and sharing the pain.

I am writing to voice my **STRONG OPPOSITION** to

**SB-913: AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE,**

a bill that will be the topic of a public hearing on March 1, 2011. I will not be available to participate at that hearing as I will be traveling on business. Therefore I am making my position know in this letter.

While I understand that there may be companies in Connecticut that do not share the same level of concern for their employees as I do, I am confident that they are the exceptions. Gemco Mfg.Co. Inc., like many other small to midsize manufacturers in this state and across the country, is struggling to compete in a global market. I don't have to tell you that my company is dealing with increases in taxes, raw materials, health insurance premiums, and energy costs just to name a few. My employees are dealing with reduced benefits, increased co-pays and weekly contributions and higher deductibles. Add to this the increase in taxes and fees that the governor has recently announced and it is understandable that the taxpayers and business owners of this state are growing restless.

Connecticut remains one of the most expensive states to do business in and the last thing we need from our Legislators are costly mandates and new benefits that will result in additional costs. You can only tax the 'producers' for so long...they will eventually give up and leave or become 'takers' leaving too few to make up the loss.

My position..it is not the role of government to dictate to me, or any business owner for that matter, the level of voluntary benefits that I choose to provide to my employees, especially with regards to paid time off. You see, I can't raise my prices to offset the cost of additional paid time off. To force this costly "benefit" upon any company, especially in

times like this, is irresponsible. Mandated benefits like these will simply result in reduced benefits in other areas, such as lost vacation time, the elimination of holiday pay or worse, continued job losses.

Let's do the math. A company with 50 employees would have to provide a maximum of 40 hrs worth of paid sick time based on the proposed bill before you.

$$50 \text{ employees} \times 40 \text{ hrs per year} = 2,000 \text{ hrs per year}$$

If those employees are averaging \$25/hr for an eight hour day that comes to \$ 50K.

$$\text{\$25/hr} \times 2,000 \text{ hrs} = \text{\$ 50,000.00}$$

### **So we don't forget: \$ 50,000.00 per year!**

To put this in the proper perspective, this bill would mandate that an employer with fifty employees may incur an annual expense equal to an additional employee's salary. *(In the private sector, the average annual cost of benefits is around \$ 13,000.00 as opposed to the average state employee benefits of \$ 26,000. Why?)* This is equivalent to that company hiring an individual and then telling that same individual to stay home for the entire year.

While I do not presently employ fifty people, it is my hope that someday I will do so. My concern is that should this bill become law in 2011, it is likely that the Legislature will continuously work to expand mandated paid sick leave until it includes all businesses regardless of their number of employees. I believe the term for this is "incrementalism" and it is commonly and exclusively practiced throughout government.

In closing, I find it outrageous that the General Assembly feels it is their place to tell me how to run my business and to dictate to me what level of voluntary benefits I need to provide to my employees. You have already accomplished this by adding costly mandates to my medical plans.

### **What's Next?**

I strongly urge each of you to soundly **REJECT SB-913!** It's time to face reality. The party is over ladies and gentlemen! We, the taxpayers, can no longer afford "business as usual"! It is time that the Legislature began making the difficult decisions that those of us who own small businesses or work for them have been making for the past three years. Those decisions must include consolidation, spending cuts, privatization, spending cuts, layoffs, spending cuts, significant benefit reductions, spending cuts, targeted tax

increases, regionalization, elimination of defined pensions, the implementation of 401k's, more accountability and of course, spending cuts.

Sincerely,

Mark DiVenere  
President  
Gemco Mfg. Co. Inc.  
555 West Queen Street  
Southington, CT 06489



**STATEMENT REGARDING**  
**Senate Bill 913: AA Mandating Employers Provide Paid Sick Leave to**  
***Employees***

**Labor Committee**  
**March 1<sup>st</sup>, 2011**

The MetroHartford Alliance is the region's economic development leader and Hartford's Chamber of Commerce. Our investors include businesses of all sizes, health care providers, institutions of higher education, and regional municipalities. Although diverse, all of these investors share a common interest in the full economic recovery of our state supported by the attraction and retention of jobs, capital and talent.

While we continue to face such extreme fiscal challenges, we urge the legislature to make Connecticut's economic recovery its top and only priority. Consider the facts:

- Currently, Connecticut has the highest deficit per capita in the entire nation compounded by the highest bonded indebtedness.
- We are facing deficits in the next biennium that exceed \$7B, while unfunded public retiree pensions and healthcare hover around \$40B.

Given these enormous obstacles to growth, any legislation that is irrelevant to the vital work that is being done to balance the state budget should be postponed until the state is on solid financial ground. In fact, any legislation that exacerbates these conditions by making our state *less* competitive should be rejected on arrival by anyone who truly wishes to create jobs in Connecticut.

At this time, even considering legislation like Senate Bill 913 makes Connecticut less competitive in a highly volatile marketplace. By proposing this legislation

and attempting to be the first state in the nation to have such a mandate, the legislature is sending a message to Connecticut's existing employers that we are not a friendly place for them to remain or expand. The reality needs to be quite the opposite.

At this time of intense global competition for jobs, capital and talent, we cannot overstate the importance of sending a pro-growth message to incumbent businesses considering expansion as well as those looking to relocate. Increasing business costs by adding labor mandates is the last thing we should consider. For an employer of 50 workers at \$10 per hour working 40 hours per week (52 weeks per year) the total increased cost of implementing this bill would be approximately \$26,000 per year. In fact, the cost of this legislation was confirmed in past years when state, municipal and certain state university system employees were exempted due to fiscal impact. Compounded by the existing high cost of doing business in our state, this legislation effectively closes the door to job growth and retention.

As an economic development organization and the capital city's chamber of commerce, we ask you to work with us to help Connecticut stand out as a *premier* place to do business and create jobs, and take steps to help us strengthen our economy for future growth, not weaken it further. Focusing instead on controlled spending and addressing our budget deficits is critical to our ability to retain and attract jobs, and this must be our top priority.

For all of these reasons, we urge the defeat of Senate Bill 913.



**Connecticut Farm Bureau Association**  
775 Bloomfield Ave., Windsor, CT 06095-2322  
(860) 768-1100 • Fax (860) 768-1108 •  
www.cfba.org

March 1, 2011

**Testimony in Opposition to:**

**Raised Bill 913: AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES**

Submitted by: Donald Tuller, President, Connecticut Farm Bureau Association

*The following testimony is submitted on behalf of the Connecticut Farm Bureau, a statewide nonprofit membership organization of over 5,000 families dedicated to farming and the future of Connecticut agriculture.*

Senator Prague, Representative Zalaski, Members of the Labor and Public Employees Committee:

We are opposed to Raised Bill 913 on several levels. Connecticut farmers depend on other residents of the state to buy our agricultural products. If this bill is passed it will drive more jobs and disposable income out of the state. This could also negatively impact our larger farm operations. If you are thus determined to put Connecticut employers at an even greater disadvantage than they already are, how long before you bring it down to smaller employers. Isn't the State of Connecticut suing the Federal Government over unpaid mandates? Is the State of Connecticut offering to reimburse companies who provide mandatory paid sick leave? This is an unpaid mandate on Connecticut businesses. The citizens of Connecticut are looking for some sign that the members of the Connecticut Legislature realize their responsibility to not further damage the ailing Connecticut economy. Defeating Raised Bill 913: AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES would be a step in the right connection. Please vote No on Raised Bill 913.

Thank you. Don Tuller President Connecticut Farm Bureau Association

**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**LABOR AND  
PUBLIC EMPLOYEES  
PART 5  
1405 -1715**

**2011**

**canpfa**

The Connecticut Association of Not-for-profit Providers For the Aging

**Testimony to the Labor and Public Employees Committee****Regarding****Senate Bill 913, An Act Mandating Employers Provide Paid Sick Leave to Employees****March 1, 2011**

The Connecticut Association of Not-for-profit Providers for the Aging (CANPFA) is a membership organization representing over 130 mission-driven and not-for-profit providers of housing and long term care services for aging adults. We appreciate the opportunity to submit comments on Senate Bill 913, An Act Mandating Employers Provide Paid Sick Leave to Employees.

CANPFA would like to testify in opposition to this proposed legislation and specifically to the proposed extension of a mandated sick leave benefit to part-time employees. Health care facilities and housing sites operate twenty-four hours a day and they must staff accordingly. Many of our members employ per diem and part-time employees to perform both direct and non-direct care functions throughout the daily schedule. Several of these members have calculated a significant financial cost that would be incurred if a mandatory sick leave mandate was enacted for part-time and per diem employees. Because many could not afford that cost, they would be forced to revise their staffing patterns to minimize the use of these employment positions. As a result, passage of this bill would necessitate a change to staffing practices and benefits program which may adversely impact the very staff that this bill is seeking to assist.

We thank you for allowing us to submit our comments and for your consideration of our concerns.

Respectfully submitted,

**Mag Morelli, CANPFA President**, 1340 Worthington Ridge, Berlin, CT 06037  
(860) 828-2903 [mmorelli@canpfa.org](mailto:mmorelli@canpfa.org)



## STATEMENT OF AT&T CONNECTICUT

**Regarding Raised Senate Bill No. 913  
AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO  
EMPLOYEES  
Before the Joint Committee on Labor and Public Employees  
March 1, 2011**

**Proposal:**

Raised Senate Bill No. 913 would require an employer to provide forty hours of paid sick leave annually and limit the ability of the employer to impose reasonable requirements regarding use of the leave.

**Comments:**

AT&T respectfully opposes the bill and urges the committee to reject it.

AT&T understands the importance of affording employees the benefits necessary to ensure a good quality of work life and offers its employees a comprehensive benefit package, which includes paid sick leave. However, this bill does more than require an employer to provide sick leave. While the bill is well intentioned, good faith attempts to manage benefit and attendance fraud become risky when this type of bill becomes law. Even employers which provide generous paid time off today will be significantly affected by the mandates included in this bill.

This bill would take away an employer's flexibility to manage its workforce and prevent abuse of its paid sick leave policy. For example, if an employee repeatedly calls in sick on Fridays, the employer would be subject to substantial penalties if the employer warned the employee and indicated they would be subject to disciplinary action, if they failed to come to work again on a Friday and could not provide verification from a doctor or other medical professional of their illness. Likewise, an employer attempting to ensure adequate coverage for an important project could be subject to penalties if the employer declined to promote an employee to work on the project who was often out sick.

In today's economy, employers, large and small, are struggling to maintain their economic footing. Employers need the flexibility to manage their workforce to maximize efficiency.

**Conclusion:**

AT&T opposes legislation such as Raised Senate Bill No. 913, which by mandating a paid sick leave program, impairs an employer's flexibility and ability to manage their workforce.



**TESTIMONY**  
of the  
**CONNECTICUT CONFERENCE OF MUNICIPALITIES**  
to the  
**LABOR & PUBLIC EMPLOYEES COMMITTEE**  
March 1, 2011

CCM is Connecticut's statewide association of towns and cities and the voice of local government - your partners in governing Connecticut. Our members represent over 90% of Connecticut's population. We appreciate this opportunity to provide testimony to you on issues of concern to towns and cities.

**SB 913**      **"An Act Mandating Employers Provide Paid Sick Leave to Employees"**

Similar to proposals from previous legislative sessions, SB 913 would, among other things, require all towns and cities to provide paid sick leave to their employees.

CCM **opposes SB 913**. The non-partisan Office of Fiscal Analysis (OFA) has concluded that such a proposal would be a "STATE MANDATE" on municipalities -- and that there would be a negative fiscal impact (i.e. costs) to already strained local budgets (see *SB 63, File. No. 80, 2010*).

While CCM is sympathetic to the intent of this proposal -- like previous years, this bill is problematic. SB 913 is ambiguous with regard to such full-time municipal employees as paraprofessionals, park and recreational staff, and local camp counselors. Under this bill it is therefore, plausible that such employees could meet the proposed minimum hourly threshold of 520 hours per year -- see *Section 1(3)* -- which is just approximately over 3 months of full-time work -- and thus, trigger this costly, new unfunded state mandate.

Faced with lay-offs and significant service cutbacks at the local level -- municipal leaders urge state lawmakers to focus on means to reduce unfunded state mandates -- and not push new, potentially costly ones on hometowns.

CCM urges you to **take no action on SB 913**.

## ## ##

If you have any questions, please contact Bob Labanara of CCM at [rlabanara@ccm-ct.org](mailto:rlabanara@ccm-ct.org).

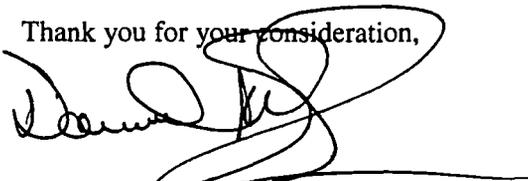
Daniel P. McSparran  
281 Elm Street  
New London CT 06320  
860-705-0035

Good afternoon Senator Prague, Representative Zalaski and esteemed members of the Labor Committee. I submit my written testimony today in support of SB 913 also known as the paid sick days bill. As you all are aware this legislation has come before this committee a few times in past legislative sessions. This legislation has always been passed by the Labor Committee due to the fact that the legislation is warranted and long overdue. This session is no different the paid sick days bill should be passed by the labor committee.

In the work place when sick employees arrive at the work place because they fear loss of their job or retribution for their illness they put all their peers at risk of becoming sick as well. They impact productivity in a negative way. The fear and risk is not imagined. We have all been in close proximity to a sneezing, sniffing or coughing store clerk, restaurant employee or co worker. We do not have to wonder why they came to the work place sick, we all know the reason.

Now is the time to correct this problem SB 913 will do just that! SB 913 will help to increase workplace productivity, protect the public and protect fellow workers. SB 913 is good legislation at the right time. In this time of economic struggle it is more important than ever to increase productivity and reduce the overall healthcare costs by allowing sick people to remain home and get well.

Thank you for your consideration,



March 1, 2011

Paula Broderick

Testimony in support of:

**SB - 913 - AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES.**

March 1, 2011

Senator Prague, Representative Zalaski and the members of the Labor Committee:

Thank you for the opportunity to speak today. I speak for myself as a rape survivor as well as for numerous others who have suffered the same trauma and crime that I have. When I fled my abuser, who had raped me and kept me captive for three days, I went into the Prudence Crandall safe house. I had to call out sick from work for numerous reasons, including the after effects of the rape I had suffered. I didn't have paid time off and lost income at a time when I desperately needed financial resources.

As a Shelter Advocate for the Prudence Crandall Center for nearly three years I have firsthand knowledge of other women having experienced the same situation that I did. And, if there are children involved, the children also suffer from the lack of financial resources during such a desperate time.

Everyone deserves the protection provided by a few paid sick days. I urge you to pass the paid sick days bill right away.

Thank you  
Paula Broderick  
Victim Survivor Advisory Council Member



**Communications  
Workers of America**

**The Connecticut Union  
of  
Telephone Workers, Inc.**



**Local 1298**

AFL-CIO

3055 Dixwell Avenue • Hamden, CT 06518 • (203) 288-5271 • Toll Free (800) 833-2889

Written Testimony of Richard Benham  
Vice President, Local 1298  
Communications Workers of America

S.B. 913

Labor and Public Employee Committee  
March 1, 2011

CWA Local 1298 is in favor of S.B. 913 AN ACT MANDATING EMPLOYERS  
PROVIDE PAID SICK LEAVE TO EMPLOYEES

This bill's time has come. To think that in this day and age that it is ok for a society to accept the practice and thinking that it is acceptable to expect that employees come to work sick because they can not afford to miss a days pay is just wrong. The people who work in the professions of serving the public in such capacities such as food service employees, classroom assistants, school bus drivers, and health care aides to name a few occupations are not in professions that are high paying so to expecting them to take a day off from work without pay when sick will be financial hardship for all of them, never mind the publics health risk at stake. We all have heard the arguments, pro and con and the benefits of the pro's far outweigh the con's. CWA Local 1298 urges this committee to pass this bill.

Thank you

Richard J. Benham

CWA Local 1298

**SB 913**  
**AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES .**

Committee Members,

On behalf of the Association of School Nurses of Connecticut (ASNC), I would like to thank you for the opportunity to support SB 913: "An Act Mandating Employers Provide Paid Sick Leave to Employees."

Data from the Institute for Women's Policy Research indicates that almost half of workers in the private sector do not have any paid sick days. Millions more are not allowed to use their sick days for their children. Parents and families should not have to choose between the jobs they need and the children they love.

My 40 years of experience as a nurse, an emergency room nurse, a pediatric nurse, and 26 years as a school nurse and nursing supervisor support is offered as you consider this issue. As a school nurse, I know that parents send sick children to school hoping that, when the school nurse calls, the boss will let them leave work. Sick children spend hours waiting for parents unable to leave work. Parents have literally been on the phone with me, crying because they will not get paid if they leave work for their sick child or, worse, they will be fired. I have had parents beg me to keep their child in the health room for the day because they cannot leave work. They know it isn't the right thing to do but they have no recourse. Instead of getting the care they need, children miss valuable learning time and expose others to illness.

In addition to acute illnesses or injuries, parental work situations can jeopardize well child care. Parents cannot afford time off to get their children physical examinations, immunizations, or preventive care. Children lose days from school because they are out of compliance with state laws mandating physical examinations and immunizations. Lost school days put children behind academically and in life. For children with chronic health conditions, like asthma or diabetes, preventive care is essential. Utilizing walk-in centers or emergency rooms, before or after work hours, fragments care, bypasses their "medical home", if they have one, and results in increased costs for health care.

ASNC supports giving workers the time they need to care for themselves and their children. We urge you to support SB 913. Thank you.

**"In School, In Class, Ready to Learn": School Nurses Make the Difference."**

Respectfully submitted,

*Donna Kosiorowski RN MS NCSN*

Donna Kosiorowski RN MS NCSN  
3 Henry Drive  
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203-929-4019 (home phone)  
Association of School Nurses of Connecticut  
[skosiorowski@snet.net](mailto:skosiorowski@snet.net)

# CONNECTICUT CONSTRUCTION INDUSTRIES ASSOCIATION, INC.



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## Senate Bill 913, An Act Mandating Employers Provide Paid Sick Leave to Employees

Labor and Public Employees Committee

March 1, 2011

### CCIA Position: Opposed

Connecticut Construction Industries Association, Inc. (CCIA) represents many sectors of the commercial construction industry in the state. Formed over 40 years ago, CCIA is an organization of associations, where those segments of the commercial construction industry work together to advance and promote their shared interests. CCIA is comprised of about 350 members, including contractors, subcontractors, suppliers and affiliated organizations representing many sectors of the construction industry. CCIA members have a long history of providing quality work for the public benefit.

CCIA is **opposed** to Senate Bill 913, An Act Mandating Employers Provide Paid Sick Leave to Employees, and respectfully requests that the committee not act on the bill.

Senate Bill 913 would require employers with fifty or more employees to provide forty hours of paid sick leave to their employees for employees to use not only for their own illness but for reasons not directly related to their health or well-being of others in the workplace.

While the purpose of the bill may be laudable – to provide paid sick leave to employees who find themselves in challenging circumstances and to encourage sick workers to stay home – the bill would impose substantial costs at a time when many businesses are struggling to survive or only beginning to recover from the severe recession.

A mandate on employers may cause employers to decide to cut pay or other benefits to offset the cost of sick leave. Adding to their cost of labor, a sick leave requirement will make it more difficult for companies to create new jobs and to grow, expand and compete in the marketplace, which would be an additional obstacle for businesses in this state in the current recovery period.

As the economy continues to lag and companies lay off workers, a paid sick leave requirement will make it more difficult for companies in Connecticut to compete. Construction companies have been particularly hard hit by the recession. While some businesses may be experiencing growth, the construction industry is caught in a depression. The industry continues to shrink and for some, it has been a very slow recovery. Many small business owners – the vast majority of construction companies – simply cannot afford to have workers out for substantial time on paid sick leave,



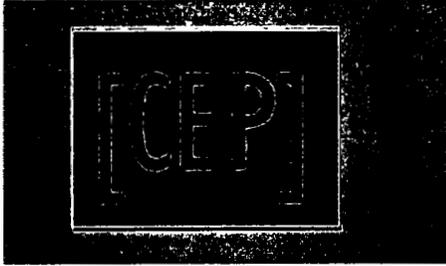
particularly during the busiest part of the construction season. The bill would add significant costs when employers are struggling to survive.

Senate Bill 913, if enacted, would present other practical challenges for businesses and might even create unintended consequences or invite abuse. For example, the bill would be difficult to administer and may require companies to add or train staff, something many cannot afford at this time. Some employees could misuse the paid sick leave benefit for reasons not specified in the bill and it would be difficult for employers to challenge or discipline them. Co-workers will have to cover duties and responsibilities for employees who misuse the new benefit.

A number of states have considered paid sick leave legislation but the bills have been defeated following similar arguments by businesses and employer groups. Connecticut would be the first state to pass a law mandating paid sick leave. Only two jurisdictions – the cities of Washington, D.C. and San Francisco – currently require paid sick leave. The fact that the bill is even under consideration, without regard to whether it passes, sends a message to business owners contemplating locating in Connecticut that the state is anti-business. In this economy, the state needs to adopt policies that attract businesses and create jobs. Additionally, it would run counter to the trend in other states and nationally, where governments are trying to cut regulations or mandates.

The bill should, at a minimum, provide an exemption for private sector employers who negotiate work hours as one of the terms of a collective bargaining agreement. Employers and labor union representatives should be allowed to negotiate a full package at the bargaining table as a subject of collective bargaining if they so choose. Many CCIA member companies negotiate and enter into collective bargaining agreements with trade unions. Those agreements deal with the terms and conditions of employment, and have provisions addressing hours of work, wages, pensions, health care and, in some cases, vacation, supplemental unemployment, legal services, holiday pay, apprenticeship training, and an annuity. Sick leave is a benefit traditionally subject to collective bargaining. The benefit should not be mandated by the state.

Please contact Matthew Hallisey, Director of Government Relations and Legislative Counsel for CCIA, at (860) 529-6855, if you have any questions or if you need additional information.



# Chief Executive Productions, LLC

John Phillips-Sandy: Testimony in support of Senate Bill 913

March 1, 2011

As an owner and partner of a small business, I am here to voice my support for Senate Bill 913.

Eight years ago, I first came to Connecticut as an aspiring jazz saxophonist to attend the University of Hartford. Four years later, I proudly graduated with my performance degree and had to face the music. As it turns out, jazz saxophone is not the booming industry of the 21<sup>st</sup> century. However, for me and two of my close friends (both of whom also came to Connecticut from other states), our time studying music and business taught us to be independently creative. In that spirit, we did something that I believe far too few young people are doing in this state. We made Connecticut our permanent home and established our own business: Chief Executive Productions.

In the three years of our existence, we have worked on over 200 different performances in a variety of roles, all while holding down other jobs and personal music careers.

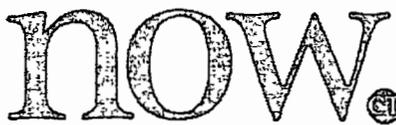
While running a small business means long and stressful days, it also means that we have each personally invested not just time but also passion for our work. For us to succeed, it is imperative that we recognize that investment. Since our very first day as a company, we have held to our mandate that each member of the company receives equal compensation as a reflection of our belief that a small business is a team effort. In our first year of business, one of my partners grappled with the ongoing effects of mono. In the second year, I dealt with a medical crisis in my family. The occasional flu or cold still strikes at one of us with no regard for our business schedule. Illness is a fact of life, but we stick to our policy of full pay even when one of us is sick. It recognizes our efforts, and it is the right way to build our business.

This state has afforded me the chance of a lifetime: to own a business in a field that I love. I only hope that more young enterprising minds will choose to work in small businesses here in Connecticut. Small business is the engine of innovation that will move our state forward and make it a place for people to visit, work, and live. To ensure that that engine runs smoothly, it is imperative that this bill pass and paid sick days become a right for all small business employees. They are all important members of the team, and their investment in their work and in our society must be recognized. I urge this committee to pass this bill and support its passage in the General Assembly.

Thank you.

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Connecticut Chapter of the National Organization for Women

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**CHAPTER  
REPRESENTATIVES**

**Testimony of the CT Chapter of the National Organization for Women (CT NOW)  
 Before the Labor and Public Employees Committee  
 March 1, 2011**

**In Support of SB 913 Mandating Employers Provide Paid Sick Days to Employees**

The CT Chapter of the National Organization for Women (CT NOW) strongly supports SB 913 Mandating Employers Provide Paid Sick Days to Employees. Throughout their lives women generally remain the primary caregivers for their families. Additionally, 71 percent of mothers with children under the age of 18 are in the workforce. In dual-earning families, women contribute an average of 44 percent of their family's income. Therefore, if a woman lacks paid sick leave she will be jeopardizing not only her own health and that of her loved ones but also her family's economic well-being.

It is imperative that women have paid sick time throughout their entire working careers. Young women who are starting families need time off to get appropriate medical care. Normal pregnancies require twelve or more visits to the doctor. By the end of the pregnancy, most women will have to see the doctor once a week if not more. Without paid sick days, it would be nearly impossible for a woman to get the care that is so critical for her and her developing child.

As families grow, the need for paid sick time only increases as women often need time off to care for their children when they get sick. Currently, most women work outside of the home, making this provision absolutely critical. Working mothers should not be put in the position of choosing between caring for their child and losing pay or going to work and sending a sick child to school or daycare.

As the baby boomer generation ages, paid sick time will become absolutely essential for the economic stability of working families. Research indicates that the "sandwich generation," those who care for both a minor and an aging parent, is growing. In this scenario, paid sick time becomes a crucial element in balancing both work and family obligations.

CT NOW strongly supports legislation aimed at providing employees with paid sick days. It is clear that a lack of paid sick days disproportionately harms women. The time has come to pass this reform and send the message to women that not only are their contributions in the workplace valued, but so are their contributions to their families.

Thank you.

56 Arbor Street - Suite 417, Hartford, CT 06106 • email: [president@now-ct.org](mailto:president@now-ct.org) • web: [www.now-ct.org](http://www.now-ct.org)



STATE OF CONNECTICUT  
OFFICE OF THE STATE COMPTROLLER  
55 ELM STREET  
HARTFORD, CONNECTICUT  
06106-1775

Kevin Lembo  
State Comptroller

Martha Carlson  
Deputy Comptroller

WRITTEN TESTIMONY  
Kevin Lembo  
State Comptroller

Concerning SB 913 AA Mandating Employers Provide Paid Sick Days to Employees

Senator Prague, Representative Zalaski, Senator Guglielmo, Representative Rigby, and members of the committee:

Thank you for the opportunity to express my support for SB 913 AA Mandating Employers Provide Paid Sick Days to Employees.

According to the Institute for Women's Policy Research (IWPR), 553,000 workers in the State of Connecticut representing almost 39 percent of the private sector workforce do not have paid sick days through their employer. Through this legislation, an estimated 257,000 workers representing 18 percent of the private workforce would become eligible for paid sick days.

The benefits of this bill are significant for employees, employers and the general public.

As a public health issue, this legislation would have a profound impact on helping to contain the spread of illness between co-workers and others that are in contact with a sick employee during the work day. A recent study conducted by the IWPR showed that eight million people in the United States went to work with the H1N1 virus and spread it to another seven million co-workers. Another study published in the American Journal of Epidemiology demonstrated lower rates of respiratory and gastrointestinal infection among nursing home residents when nurses were given paid sick days. Exposure to an array of viruses and other illnesses may also take place as a sick employee without paid sick days assists a customer at a local retail store or serves them a meal at a local restaurant.

This legislation would provide for a healthier Connecticut workforce and decreased health care costs. Paid sick days enable employees to improve their own health, and their families' health - lowering health care costs for all.

In addition, having time available to visit a doctor during normal hours avoids the use of the emergency room for preventative or non-emergency health care. This lowers healthcare costs even further.

Paid sick days would also boost workers' economic security. In today's economic climate, more and more families live paycheck to paycheck. This bill will enable workers to have paid time off and erase the fear of being fired, suspended or penalized for taking time to care for an ill family member or oneself. This is especially important for working parents – especially mothers. Research shows that 78% of women take time off from work to care for a sick child, while just 26.5% of men do. And women are shown to have a significant role in providing for their families; in dual-earner couples, women provide an average of 44% in annual family income

The benefits to businesses that provide paid sick days are noteworthy. Not only would the spread of illness in the workplace be curtailed, but so would presenteeism or productivity that is lost when employees go to work sick. The National Partnership for Women & Families estimates that presenteeism costs employers an average of \$255 per employee per year. In addition, businesses would save money by the reduced rate of employee turn-over, which increases costs for the advertising, interviewing and training of new hires.

A report from the IWPR shows that providing paid sick days can save Connecticut businesses nearly \$73 million a year. The estimated costs for covered workers will be roughly \$.19 per hour worked, or \$6.87 per worker per week. The benefits for employers (reduced turn-over and illness contagion) are quantified at \$12.32 per worker per week, yielding a net savings of \$5.45 per worker per week for covered workers.

This legislation is simply good public health policy and good business sense. I urge you to support SB 913.

Thank you for your consideration.

March 1, 2011

Testimony in Support of SB 913

My name is Dawn Taylor. I live in East Hartford, CT, and I support the paid sick day's legislation.

Workers need and deserve paid sick days. People should not be punished simply because they are sick or need to care for a sick family member. I have a disabled parent and I am often called on to take care of her when she is sick. I should not be punished simply for providing the care that my parent needs.

I work at a large downtown Hartford firm where I receive paid time off days that I can utilize for illness or vacation. Having those days allows me to take care of myself or my parent. However, it means giving up vacation when I care for my parent. It would be optimal to have both paid time off and sick days in order to better handle the day to day stresses of caring for a disabled parent as well as allowing some down time for myself. The benefits to both the employee and business at large are immeasurable. Businesses do not have to reform their policies but allow a few extra paid sick days per year to those in need – both the employee and the individual being cared for. Many workers don't have any options at all. This bill would give them at least a few days off.

Allowing employees a few days off means having a happier, loyal and more productive work force. A paid sick day not only allows workers to take care of themselves and their families; paid sick days will also benefit business. When employees go to work sick, they are not as productive and will risk infecting coworkers. By allowing that employee to stay home and recover, they will be able to return to work at a faster pace than if they were to work while being sick.

Please support the paid sick day's bill. Employees should be able to care for themselves or a loved one in the case of an illness without the added stress of using paid time off days that come at a premium.

Thank you for your consideration.

Sincerely,

*Dawn M. Taylor*

Dawn M. Taylor

March 1, 2011

Testimony IN SUPPORT of SB 913

My name is Tanvir Chandlry, and I am writing in support of paid sick days. Paid sick days allow employees to be able to take care of themselves, and stop the spread of illness.

At my current job, working for Northeast Utilities I am fortunate enough to have paid sick days. I just recently used one to stay home with a hurt back. It was such a relief that I could stay home and take care of myself without having to sacrifice part of my paycheck. By staying home that one day I was able to recover and get back to work.

In the past however I was not so fortunate. I have held many different jobs in food service and retail where I did not receive a single paid sick day. Working two and half years in food service I saw many times when workers went to work sick. No one wants someone that is handling their food going to work sick. It is very easy for illness to spread, when someone is coughing or sneezing on someone else's food. Paid sick days would allow food service workers to stay home and not spread illnesses.

After working three and half years, in retail at Macys, I also did not receive paid sick days. I often interacted closely with customers and co-workers. When I went to work sick, I risked spreading my illness. However without paid sick days I could not afford to stay home, to recover and avoid spreading my illness. Losing a day's worth of pay meant that I could not pay my bills. However a large company like Macys could afford to pay for a few sick days each year. Providing paid sick days would mean employees would not spread illnesses in the workplace and would be more productive.

Please support paid sick days and allow employees to stay home and stop the spread of illness. Sick workers spread illnesses. Paid sick days make for a healthy workplace.

Tanvir Chandlry

Vernon, CT

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24 February 2011

To Whom It May Concern

SB913

Re: Connecticut's proposed legislation to require paid sick days

As a Connecticut voter who has operated a small business for more than 25 years, I fully support the proposed CT state law requiring a modest number of paid sick days.

I would rather pay for a sick or injured worker to stay home than for the person to come to work and be unproductive. "Presenteeism" -- coming to work while sick or injured -- creates a negative mood in the workplace, as well as possibly spreading a contagious illness. Staying home is especially important when a parent needs to stay home with a sick child, as it can prevent that child's schoolmates from getting sick.

In addition, by staying home, workers will have a chance to get well so they will not miss future work days due to complications. When workers keep coming to work instead of staying home, they increase the risk of an injury getting re-injured or a simple illness like a common cold developing into something worse like bronchitis or pneumonia.

Paying workers for a few sick days each year is the right thing to do, but unless we have a state law requiring it, there will always be employers who want to cut corners. When they do that, they put ethical employers who want to the right thing at an unfair disadvantage.

Sincerely,

[signed]

Elsa Peterson, President  
Elsa Peterson Ltd.

Testimony regarding SB 913

By The Rev Paul D. Sinnott

Ministry Specialist, New England Synod; Evangelical Lutheran Church in America  
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New Preston, CT 06777

860-619-0049 [pdsinnott@aol.com](mailto:pdsinnott@aol.com)

As a resident of Litchfield County, parish pastor and ministry specialist, as a husband, taxpayer and neighbor, I stand in favor of SB 913, a bill which would provide a low-cost benefit to employees of Connecticut businesses. Some might say that this bill could provide an incentive for workers to abuse sick time, but my experience is that workers want the business in which they invest skill, time and labor to flourish, and that this bill would encourage them to continue this investment while dealing with issues which may preclude work on occasion. Unforeseen family issues, health dilemmas or domestic violence should not be the occasion for the dismissal of an otherwise productive worker.

When this benefit would be used, other workers or their supervisors would have to devote more time to the tasks of productivity, sales or marketing. This kind of teamwork is encouraged by the ethic of our church. We support and encourage each other and contribute what we have toward the good of all. Our social statements and indeed the scriptures teach us this way of life, and we would be remiss not to encourage our legislators to mandate such a benefit. Indeed it seems that this kind of benefit for hourly or salaried workers would instill loyalty to the enterprise and its management.

In my experience, upper level management generally has long enjoyed the benefit of paid leave, extended vacation time and other generous benefits. Our stand on economic justice is clear: such benefits must extend to all employees as we "bear one another's burdens." The enactment of this legislation would mandate such sharing, without a large financial burden placed on the business. It is my stand that this would provide an edge to Connecticut businesses. Thus, I support its enactment by the legislature and encourage Governor Malloy to sign it into law.

**Testimony of Amanda Girardin**  
**S.B. No. 913 An Act Mandating Employers Provide Paid Sick Leave to Employees**  
**March 1, 2011**

Members of the Labor and Public Employees Committee: My name is Amanda Girardin. I am resident of Andover, Connecticut and am currently a graduate student at the UConn School of Social Work while also working two part time jobs. I am here to urge you to vote yes for SB No. 913, An Act Mandating Employers Provide Paid Sick Leave to Employees.

My last year's internship was at the Aetna Foundation Children's Center, who offers services to children who are victims of child sexual abuse and their non-offending caregivers. As an intern I would hear the complaints of caregivers, most of whom were women, who couldn't find time to schedule forensic interviews, medicals or therapy for their children because they cannot afford to take time off from work to accompany them. This is frustrating for parents, but also for the providers who deal with many missed appointments. This delay in services is detrimental to the child victims who are unable to obtain the services and assessments they need after suffering from such trauma. This delay can also hinder police investigations. Some of these female, and sometimes male, caregivers are then accused of negligence by child protective services for not getting their children the help they require. No parent or caregiver should be forced to make a decision between making financial ends meet and getting their child the help they need.

This proposed law also affects me and my co-workers on a very personal level. I have worked many jobs within the food industry while being a student and in between degrees. In addition to only making the minimum wage allowed by law while trying to save enough money to go to graduate school, and pay my bills, I have never received sick days. My choices are to stay home and lose money or go to my job sick. Mind you, my jobs have involved preparing and serving food and beverages to thousands of customers a day. Many of my co-workers are parents unable to meet their own health needs and those of their children because they needed to work to keep a roof over their head and food on the table. One man I worked with had a severely ill infant and was forced to work two jobs everyday and could never take the time to bring his baby to the hospital. Paid sick leave for this man would greatly reduce his stress improving his own mental health and allow him to take better care of his ailing child. Even my co-workers without children feel the stress of making money and consistently come to work sneezing, coughing or with a fever. People working minimum-wage, food service jobs are much more likely to be highly dependent upon those one or two days worth of wages that they miss if they take days off than are the people who currently possess paid sick leave. It is imperative not only for the health of these workers and their families but for the safety and health of consumers as well that this law be passed and people provided with paid sick leave that they have earned and deserve by putting in the time and hard work.

In my current internship working on a Ten Year Plan to End Homelessness I constantly witness how easily a medical crisis can send a person or family into homelessness. For people living paycheck to paycheck the loss of just one day's work wages due to illness can mean missing that month's rents. If a person or family becomes homeless their health risks increase as does the chance that they will lose their job completely. Paid sick days could be a step towards preventing homelessness among the at risk population.

I hope I can count on your support to vote yes for SB. 913. Thank you.  
Contact: [AgirardinD13@gmail.com](mailto:AgirardinD13@gmail.com) or 860-490-1284 .



**Written Testimony of Debra L. Ness  
President, National Partnership for Women & Families  
on S.B. 913, An Act Mandating Employers Provide Paid Sick Leave to Employees**

**Submitted to the Connecticut General Assembly  
Joint Committee on Labor and Public Employees  
March 1, 2011**

Thank you for the opportunity to submit testimony in support of S.B. 913. The National Partnership for Women & Families is a non-profit, non-partisan advocacy group dedicated to promoting fairness in the workplace, access to quality health care, and policies that help workers in the United States meet the dual demands of work and family.

Like many across the nation, Connecticut's working families are struggling harder than ever to make ends meet. For workers without paid sick days, a bad case of the flu or a child's fever can mean the loss of a much-needed paycheck or even a job. Paid sick days policies protect workers' economic security and the health and well-being of their communities. Advocates and legislators in more than two dozen states and cities are pressing for policies that would provide working people the right to earn paid sick days, and two cities have already passed and implemented successful paid sick days laws. We commend the Connecticut legislature for considering this common-sense policy solution that will help hard-working people across the state to be both responsible workers *and* responsible family members when illness strikes.

**The Economic Security of Working Families and the Well-Being of Our Communities  
Suffer When Workers Lack Paid Sick Days**

Everyone gets sick, but too many workers in Connecticut and across the nation cannot take time away from work to get better. The cost of allowing this to continue, and failing to enact a remedy, is high for Connecticut families, communities and businesses. That is why establishing a minimum paid sick days standard is so important.

More than half a million people in Connecticut — 39 percent of private sector workers — lack paid sick days to use for their own illness.<sup>1</sup> Connecticut's experience reflects the national reality. Thirty-eight percent of private sector workers in the United States lack paid sick days to use for

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<sup>1</sup> Miller, K., and Williams, C. (2010, April). *Valuing Good Health in Connecticut. The Costs and Benefits of Paid Sick Days* (p. 6) Institute for Women's Policy Research. Retrieved 25 February 2011, from <http://www.iwpr.org/initiatives/family-leave-paid-sick-days>

their own illness or medical care.<sup>2</sup> Many more cannot take paid sick time to care for an ill child or family member.<sup>3</sup>

In this economy, the lack of a paid sick days standard forces too many workers and their families to make the impossible choice between their health and their financial security. At a time when more than three-quarters of workers are living paycheck to paycheck,<sup>4</sup> and an unemployed worker's search for a new job can stretch well beyond six months,<sup>5</sup> workers without paid sick days can ill afford to lose two days of pay when they get the flu or risk job loss when they need to take a child to the doctor.

The lack of paid sick days has a particularly significant impact on working women, who continue to be the primary caregivers for their families. Half of working mothers miss work when a child comes down with a common illness, and many of these women — two-thirds of low-income mothers and more than one-third of middle- and upper-income mothers — lose pay when they care for sick children.<sup>6</sup> Women are now the sole or co-breadwinners in nearly two-thirds of U.S. households.<sup>7</sup> There is no question that the economic security of families nationwide is put in jeopardy when working mothers have to miss work to care for an ill child.

Too often, workers without paid sick days are forced to go to work rather than care for their health, delaying preventive care or turning to emergency rooms instead of lower-cost health care options. In these cases, potentially treatable problems can become more severe. People without paid sick days are twice as likely as those with paid sick days to use an emergency room because of their inability to take time off of work,<sup>8</sup> and parents without paid sick days are *five times* more likely to take a child or family member to an emergency room.<sup>9</sup> In the ongoing national effort to improve the health of Americans and reduce health care costs, the lack of a paid sick days standard is simply bad policy.

What's more, the lack of a paid sick days standard creates serious public health risks. People without paid sick days are 1.5 times more likely to go to work sick than people with paid sick

<sup>2</sup> U.S. Department of Labor, Bureau of Labor Statistics. (2010, March). *Table 6. Selected Paid Leave Benefits: Access*. Retrieved 25 February 2011, from <http://www.bls.gov/news.release/ebs2.t06.htm>

<sup>3</sup> Lovell, V. (2004). *No Time to Be Sick: Why Everyone Suffers When Workers Don't Have Paid Sick Leave* (p. 9). Institute for Women's Policy Research. Retrieved 28 February 2011, from <http://www.iwpr.org/publications/pubs/no-time-to-be-sick-why-everyone-suffers-when-workers-don2019t-have-paid-sick-leave-b242>

<sup>4</sup> All Headline News. (2010, September). *Survey: 77 Percent of American Workers Living Paycheck to Paycheck*. Retrieved 25 February 2011, from <http://www.allheadlinenews.com/articles/7019767433>

<sup>5</sup> U.S. Department of Labor, Bureau of Labor Statistics. (2011, February). *Table A-12. Unemployed persons by duration of unemployment*. Retrieved 25 February 2011, from <http://www.bls.gov/news.release/empsit.t12.htm>

<sup>6</sup> Kaiser Family Foundation. (2003, April). *Women, Work and Family Health: A Balancing Act* (p. 2). Retrieved 25 February 2011, from [http://paysickdays.nationalpartnership.org/site/DocServer/Women\\_Work\\_\\_Family\\_Health.pdf?docID=366](http://paysickdays.nationalpartnership.org/site/DocServer/Women_Work__Family_Health.pdf?docID=366)

<sup>7</sup> Boushey, H., and O'Leary, A., eds. (2009). *The Shriver Report: A Woman's Nation Changes Everything* (p. 32). Center for American Progress and A Woman's Nation. Retrieved 25 February 2011, from <http://www.shriverreport.com/awn/shriverReport.pdf>

<sup>8</sup> Smith, T., & Kim, J. (2010, June). *Paid Sick Days. Attitudes and Experiences*. National Opinion Research Center at the University of Chicago for the Public Welfare Foundation Publication (p. 40). Retrieved 2 December 2010, from <http://www.publicwelfare.org/resources/DocFiles/psd2010final.pdf>

<sup>9</sup> Ibid. (Unpublished calculations)

days.<sup>10</sup> And workers who have the most direct contact with the public are the ones least likely to have access to paid sick days. For example, nearly three out of four food preparation and food service workers have no paid sick days<sup>11</sup> and nearly two-thirds of restaurant workers report having worked sick,<sup>12</sup> potentially leading to the spread of contagious illnesses to customers. Similarly, just 27 percent of child care workers have paid sick days,<sup>13</sup> risking the spread of contagious illnesses to young children. Nearly half of personal care workers (child care and home health care workers who assist the infirm and the elderly) lack paid sick time,<sup>14</sup> causing potentially serious health problems for these vulnerable populations. When disease spreads because workers can't stay home, everyone loses.

Failing to provide workers with paid sick days can also cause a reduction in productivity — which has a ripple effect when disease spreads through the worksite. In fact, lost business productivity due to illness costs an estimated \$180 billion annually.<sup>15</sup> A snapshot from the H1N1 pandemic in 2009 shows why. During a three-month period in the fall of 2009, 26 million workers suffered from H1N1 and eight million workers went to work sick, infecting up to seven million of their co-workers.<sup>16</sup> H1N1 lasted longer in private sector workplaces than in public sector workplaces during those three months — a difference that researchers attribute to the lack of paid sick days in the private sector.<sup>17</sup> Business productivity and efficiency suffer when illness overcomes the workplace.

### **S.B. 913: An Important First Step Toward Meeting the Needs of Connecticut's Workers and Their Families**

The tremendous costs of inaction and the benefits that paid sick days policies have for working families, our public health, our children and our communities are clear. That is why the National Partnership supports a standard that would allow all workers to earn paid sick time. S.B. 913 is an excellent first step toward meeting the needs of more than a quarter-million Connecticut

<sup>10</sup> Ibid, p. 39.

<sup>11</sup> Joint Economic Committee of the U.S. Congress. (2010, March). *Expanding Access to Paid Sick Leave: The Impact of the Healthy Families Act on America's Workers* (p. 2). Retrieved 22 February 2011, from [http://jec.senate.gov/public/index.cfm?a=Files.Serve&File\\_id=abf8aca7-6b94-4152-b720-2d8d04b81ed6](http://jec.senate.gov/public/index.cfm?a=Files.Serve&File_id=abf8aca7-6b94-4152-b720-2d8d04b81ed6)

<sup>12</sup> Restaurant Opportunities Centers United. (2010, September). *Serving While Sick: High Risks and Low Benefits for the Nation's Restaurant Workforce, and Their Impact on the Consumer* (p. 11). Restaurant Opportunities Centers United Publication. Retrieved 9 December 2010, from [http://www.rocunited.org/files/roc\\_servingwhilesick\\_v06%20\(1\).pdf](http://www.rocunited.org/files/roc_servingwhilesick_v06%20(1).pdf)

<sup>13</sup> See note 10, p 3.

<sup>14</sup> Ibid, p. 8. Number applies to establishments with 15 or more employees.

<sup>15</sup> Business Wire. (2002, June). *AdvancePCS Study Shows Top Health Conditions Cost Employers \$180 Billion in Lost Productive Time*. Retrieved 28 February 2011, from [http://findarticles.com/p/articles/mi\\_m0EIN/is\\_2002\\_June\\_5/ai\\_86738725/](http://findarticles.com/p/articles/mi_m0EIN/is_2002_June_5/ai_86738725/)

<sup>16</sup> Institute for Women's Policy Research. (2010, February). *Sick at Work. Infected Employees in the Workplace During the H1N1 Pandemic* (p.1). Institute for Women's Policy Research Publication. Retrieved 7 January 2011, from <http://www.iwpr.org/publications/pubs/sick-at-work-infected-employees-in-the-workplace-during-the-h1n1-pandemic>

<sup>17</sup> Ibid, p. 8

workers and their families.<sup>18</sup> We look forward to the day when all Connecticut workers have access to paid sick time.

Paid sick days laws in San Francisco and Washington, D.C. have already had a dramatic impact on workers. A recent study of San Francisco workers shows that, as a result of the city's paid sick time law, many of the workers most in need of paid sick days now have access to them.<sup>19</sup> As a result, more than a majority of workers say that they are better able to care for their own health needs and the health needs of their families, that their employers are more supportive of workers using sick time, or that they gained more sick time because of the floor set by the law.<sup>20</sup>

There is also indisputable evidence refuting opponents' claims that paid sick days laws harm business and job growth. San Francisco's experience shows that businesses — including the smallest businesses — can flourish under a paid sick days standard. In the two years following the implementation of the city's paid sick days law (a time period that includes the recent recession), the number of businesses and jobs in San Francisco grew relative to business and job growth in surrounding counties.<sup>21</sup> The growth pattern held true even in the industries that made the biggest changes as a result of the law — retail and food service.<sup>22</sup>

The experiences of San Francisco businesses show that fears of disruption from a paid sick days standard are vastly overblown. For example, most businesses did not have to make any changes to their policies as a result of the law.<sup>23</sup> And two-thirds of businesses now say they support the law.<sup>24</sup> With respect to concerns that workers might overuse paid sick time, the data show that workers in the city used just three sick days per year on average, despite the availability of many more days under the law. One-quarter of all workers did not use *any* sick days within a one-year period.<sup>25</sup>

### **A Paid Sick Days Standard: A Public Policy Solution That Works for Everyone**

Everyone gets sick. Everyone should have time to get better without jeopardizing their economic security or their families' health and well-being. The National Partnership urges the Connecticut General Assembly to pass S.B. 913 without delay to protect the economic security of Connecticut's working families and the health and well-being of its communities.

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<sup>18</sup> See note 1, p. 1.

<sup>19</sup> Drago, R. and Lovell, V. (2011, February) *San Francisco's Paid Sick Leave Ordinance: Outcomes for Employers and Employees* (p. 9). Institute for Women's Policy Research. Retrieved 25 February 2011, from <http://www.iwpr.org/initiatives/family-leave-paid-sick-days/#publications>

<sup>20</sup> *Ibid*, p. 11.

<sup>21</sup> Petro, J. (2010, October). *Paid Sick Leave Does Not Harm Business Growth or Job Growth* (pp 5-6). Drum Major Institute for Public Policy Publication. Retrieved 13 December 2010, from [http://www.drummajorinstitute.org/pdfs/Paid\\_Sick\\_Leave\\_Does\\_Not\\_Harm.pdf](http://www.drummajorinstitute.org/pdfs/Paid_Sick_Leave_Does_Not_Harm.pdf)

<sup>22</sup> *Ibid*, p. 7.

<sup>23</sup> See note 19, p. 17.

<sup>24</sup> *Ibid*, p. 22

<sup>25</sup> *Ibid*, p. 9.

M. J. CHIRONNA  
21 GENEVA ROAD  
NORWALK, CT 06850

Testimony in support of Proposed S.B. No. 913  
An Act mandating employers provide paid sick leave to employees  
The Labor Committee

March 2011

Dear Legislators:

I am in favor of proposed senate bill number 913, an act mandating employers provide paid sick leave to employees, and would hope that you support it. My name is M.J. Chironna and I am a resident of Norwalk. I have also been a working parent for a total of thirteen years.

As a working mother, I have had to choose between sending my children to school sick, going to work with my sick children, or taking time off from work to care for my children. These have not been easy decisions and have had consequences.

The consequences of sending my children to school sick have included not taking care of my children when they are ill and infecting the children and teachers at the schools. Sometimes a mother has no choice but to bring their child to work with them when their child is sick. I had to bring my child to work when one of my children had pink eye. I was later reprimanded for bringing in a child with an contagious condition. The employees of my company were exposed to pink eye, but what else could I have done? Finally, the consequence of taking time off from work to care for my children decreases my paycheck. These decisions would not have to be made by many parents if senate bill number 913 is passed.

Over the years, I have been much more dedicated to the companies that have provided the benefits of sick days. If I have been out of work due to sick time, I have been a much more committed and efficient employee to these organizations. In addition, I have worked at these companies for longer periods of time.

Passing this bill will relieve many families of unneeded financial stress as well as positively impact business throughout the state. I encourage you all to support this bill as a reflection of your understanding of the unfortunate realities many face on a daily basis.

Thank you for your support.

Sincerely,

M.J. Chironna

Testimony from Mike Duffy Sr.

Committee on Labor and Public Employees regarding SB913 paid sick days

Thank you for allowing the public to add to the discourse on this issue.

I am in support of the paid sick leave measure. I think it will fix some of the problems that exist in the workplace today. I am a worker at one of the largest communications companies in the world and receive paid sick days; however, if I use them I get disciplined.

Many people I work with, including myself, believe the company uses these "mock" sick days to look like a more responsible corporate citizen and to gain a better bargaining position with our union. For many of us in the company, we might as well not have paid sick days because it is just as stressful for me to take the time off work as it would be if my company never offered sick time. In effect, they have found a way to look good to the public without actually having to include the integrity of providing paid sick time.

The result of this type of policy is the proliferation of disease to every citizen who is exposed to a sick employee. Employees at my company, myself included, come to work sick rather than suffer discipline, or the threat of discipline. This means we are spreading illness around the office or to the public. I have come to work with ear infections, the flu, bronchitis, etc. and because I work both inside and outside of peoples' homes I have exposed working families, children, and elderly people to these infections. I have to choose between my job, my health, and my family and the health of other people every time I get sick.

I think it is common sense that if you are sick you should have the protections that would allow you to stay home and take care of your health and protect the health of the public. You have the opportunity to improve public health and the workings conditions for many of us here in Connecticut, please seize upon this opportunity and do something great for many generations to come. Thank you for your time.

Sincerely,

Mike Duffy Sr.  
Meriden

SB No. 913AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES.

March 1, 2011

Testimony of Scott D. Macdonald, Esq., SPHR

Thank you Senator Prague, Representative Zalaski, and members of the Labor Committee for listening to my testimony as a management and HR professional in support of paid sick days legislation, SB 913.

I, Scott D. Macdonald, respectfully submit the following testimony IN SUPPORT of passage of the above-referenced legislation.

By way of background, I have been a labor/employment attorney since 1987. Since 1993, I have worked in Connecticut representing employers. I served as the Human Resource Director for eight years for two organizations with 1,200 and 2,000 employees. Since 2004, I also have worked as a Human Resource Consultant servicing private and public sector employers with 10 to 1,600 employees. One of the key areas I provide consulting services in is total employee benefits (including health insurance, disability insurance, life insurance, paid leave, rewards and recognition, wellness programs).

I always urge employees to provide adequate paid leave (vacation, sick, and perhaps personal). The reason is simple: through my work with a multitude of employers in a variety of industries, my experience and extensive research has led to the unmistakable conclusion that progressive leave policies, including sick leave, actually have a positive effect on productivity, employee morale, employee satisfaction and engagement, and bottom-line success (i.e., profitability). The research is overwhelming that the most successful organizations are also typically chosen as national leaders in terms of "best places to work" as listed by the Society for Human Resource Management. One measure of what makes an employer a positive place to work is progressive and "family-friendly" leave policies.

There are those individuals and groups purportedly representing business interests who claim that this law would be viewed as "anti-business," or will be an added cost or burden for businesses, thereby driving businesses away from Connecticut (or keeping them from moving to the State or starting up). The trouble with those suppositions is that there is no empirical support for them in the available data. In fact, quite the contrary is true. What employer loses when an employee stays home sick is that employee's productivity (work output) for the day. Accordingly, the cost of a day of paid leave is not the amount of money the employer pays the employee for the day, but what the employee would have produced. Yet, employees who instead come to work sick—as they most often do if faced with the choice of taking unpaid leave cost an employer more than if the employer paid the employee to stay home. Those employees (a) are at less than optimum productivity, often as low as 50%; (b) take longer to return to full productivity; (c) get

other employees at the worksite sick; and (d) are less satisfied and engaged. According to a survey of businesses by Harris Interactive for CCH, the number of organizations that view the problem of "presenteeism—when employees come to work even though they are ill and pose problems of contagion and lower productivity"—as a major area of concern increased 20% (from 39% to nearly 50%) in one year. The report also indicated that the hidden, indirect costs of the presenteeism problem are "very high" for an organization, which causes lower quality, lower productivity, and increased absenteeism (or presenteesim) among other employees. According to the Center for Worklife Law, the cost of presenteeism is far greater than the cost of absenteeism. In fact, the total annual cost of lost productivity is \$250 billion, and presenteeism accounts for \$180 billion (72%) of that total. See Federal Register, Volume 73, No. 222 (November 17, 2008) at page 68071. In short, the bottom line dollar of the employer is highly likely to be impacted negatively by not providing some paid sick leave. Based upon the foregoing, the bill now pending in the State Legislature should be viewed as quite pro-business indeed, while at the same time providing a much needed benefit to employees.

Finally, there are some who may argue that if employers provide up to 40 hours of paid sick leave, employees will simply take that time off each year. That argument also is not borne out by available data. For example, In January 2007, I recommended that an employer in East Hartford with about 75 employees, add paid sick leave and they did so. As a result, the Company experiences enhanced employee morale with no negative impact on productivity. What's more, during the three years since the addition of the paid sick leave, the average number of paid sick leave take for the workforce as a whole has been about 1.6 days per employee per year, including sick leave take that also would qualify under FMLA such as maternity leave. Thus, the argument that employees will simply use all of their allotted time off does not speak to the merits of the bill, but rather to the administration of leave policies by an employer. There are a number of tools at the disposal of employers both to provide incentives for employees to not use sick leave unnecessarily (including the bill's carryover provision), and to impose consequences for the abuse or misuse of available sick leave.

The legislature should define "child" as one under the age of 18, unless the individual has a disability, consistent with the FMLA. The legislature should also make clear that the sick leave provided in this bill will run concurrently with any applicable unpaid FMLA or Connecticut Family and Medical Leave, not in addition to such leave.

Thank you for taking the time to consider my testimony.

Respectfully submitted,

Scott D. Macdonald, Esq., SPHR  
109 Scenic View Dr.  
Middletown, CT 06457  
(860) 343-0648

New England Synod  
Evangelical Lutheran Church in America  
20 Upland St.  
Worcester, MA 01607

TO: Committee on Labor and Public Employees  
The State House, Capitol Building  
Hartford, CT 06106

February 20, 2011

RE: Pending Legislation with regard to paid sick leave  
Supporting SB 913

To Whom It May Concern:

In the State of Connecticut, there are more than 40,000 members of the Evangelical Lutheran Church in America, in more than 60 congregations. Our members represent a diversity of age, ethnicity and economic circumstance. Many are workers in small enterprises, factories or retail locations. Some of us are business owners, professionals or managers. In these troubling times, some of us are underemployed or unemployed. All of us share something in common, however, a core value. Our congregations bear witness to a long-standing ethic of being places for moral and ethical deliberation and we encourage members to offer testimony in the public square, informed by tradition, scholarly debate and scriptural integrity. We are called upon to follow Jesus in insisting on justice, not on our own behalf, but on behalf of our neighbor(s).

Therefore we stand for proposed legislation that would provide paid sick leave for workers, and we would reject provisions that separate classes of workers depriving lower paid workers from such benefits. Legislation that would marginalize or penalize an otherwise conscientious worker or cause their dismissal from employment because of an unfortunate illness, unplanned family disturbance or abuse by a family member is unjust. We therefore encourage the Legislature in the State of Connecticut to enact provisions that provide for paid time to all classes of employees.

Yours in the Gospel,

The Rev. Margaret G. Payne  
Bishop

March 1, 2011

IN SUPPORT of SB 913 for Paid Sick Days

Testimony to the Labor Committee:

Please support the paid sick days legislation. Paid sick days are important to keeping our school's healthy.

As a teacher, I see the consequences when parents do not have paid sick days. I often see students sent to school with contagious illnesses, because their parent could not afford to stay home with them. No child should be forced to go to school when they are sick, but parents often aren't able to stay home from work and still be able to pay the bills.

Going to school sick can negatively affect a child's ability to learn. When a child is sick they are not able to concentrate in class. Staying home one day to recover and come back to school healthy, as opposed to an illness continuing on, provides the child with the ability to concentrate and learn.

This is not only unfair the child that is sick but also that child's classmates. When a sick child goes to school, the child's classmates are exposed to illness. During the flu season if a student comes sick, it can quickly spread to the entire class or school.

Please support the paid sick days bill so students can stay home when they are sick.

Nancy MacBride

Voluntown, CT



**Independent Electrical Contractors  
of New England, Inc.**

**TESTIMONY OF  
LISA STEVENS  
EXECUTIVE DIRECTOR  
INDEPENDENT ELECTRICAL CONTRACTORS OF NEW ENGLAND  
BEFORE THE  
LABOR & PUBLIC EMPLOYEES COMMITTEE  
MARCH 1, 2011**

As a trade association that represents many small employers, IEC oppose SB-913 which mandates the personnel policies of private employers.

Sick leave policies vary from company to company because each company has different needs, different costs, and different obligations to its customers. For example, contractors that bid on construction projects may be hard pressed to cover mandated sick leave costs and complete projects on time and at the agreed upon price.

SB-913 not only mandates that employers provide paid sick leave, it also details how the leave may be used. For example, the bill requires employers to allow employees to take leave in hourly increments. Requiring employers to track leave in hourly increments is cumbersome, particularly when workers are leaving from various job sites. It may require some companies to spend resources to purchase different payroll software or change payroll vendors in order to track this time.

Although many of our employers have fewer than 50 employees, we are concerned about the impact of the bill on the state's overall economy. Connecticut is facing a very difficult economic recovery and has already lost more than 100,000 jobs. This has directly impacted our industry because it has slowed new construction and housing renovations and remodeling.

We need to enact policies that encourage job growth and send a signal to our employers that Connecticut is truly "open for business". If this bill passes, Connecticut will be the first state in the country to dictate when and how an employer must provide its employees with paid medical leave. This is the wrong time and the wrong signal to send to our business community.

The state is facing a multi-billion dollar budget deficit. To address this, there are \$1.5 billion in new taxes on the table as well as measures that would allow towns to increase taxes. All of these tax increases will directly and significantly increase the cost of doing business in Connecticut. How can Connecticut, in good conscience and in good faith, add another employer mandate on top of all of those tax increases and expect Connecticut to be "open for business"?

When faced with increased personnel costs and inflexible government mandates, many companies may simply decide to stay small rather than expand and add jobs to our economy. This has a stifling effect on entrepreneurship, which is absolutely critical to maintaining a healthy economy.

We urge you to oppose SB-913 and, instead, consider raising bills that will help address the skyrocketing costs faced by our employer community.

**1800 Silas Deane Highway, Rear Building, Rocky Hill, CT 06067  
(860) 563-4953 Fax (860) 563-5453 Toll Free (866) GO IEC NE  
email: lisa@iecne.org www.iecne.org**



TESTIMONY OF  
JOHN YUSZA, JR.  
CONNECTICUT ALARM & SYSTEMS INTEGRATORS ASSOCIATION  
BEFORE THE  
LABOR COMMITTEE  
MARCH , 2011

The Connecticut Alarm & Systems Integrators Association (CASIA) **opposes** **SB 913**, An Act Mandating Employers Provide Paid Sick Leave to Employees, which mandates that all businesses with 50 or more employees provide paid sick leave.

Because the vast majority of employers in our industry are small employers, we are concerned with this proposal that takes a "one size fits all" approach and that does not take into account the current economic recession, a business' financial resources or demands or a business' current benefit offerings.

The state should not be in a position of dictating the wage and benefit packages of private employers. This interferes with the flexibility that businesses need to grow and add jobs. The vast majority of employers provide paid sick days or away from work policies to their employees but still have the freedom to craft policies that make sense for their industries and their employees. Mandating the specifics of a paid sick leave plan in legislation is overreaching and sends the wrong message to Connecticut businesses, which will undermine efforts to get our economy back on track.

Furthermore, this mandate will increase labor and administrative costs for employers at a time when many businesses are already struggling to survive. Therefore, we urge **rejection** of **SB 913**.

*CASIA, a statewide trade association established in 1974, is comprised of alarm companies working together to protect lives and property through the responsible use of electrical security and fire alarm systems. Our members are professional and technically skilled and experienced in integrated systems for intrusion and fire systems, closed circuit television, telephone, intercom, home theater, access control systems and computer wiring.*



**Testimony**  
**Robin Wilson**  
**President & CEO**  
**Quinnipiac Chamber of Commerce**  
**Before the Labor Committee**  
**March 1, 2011**

**SB-913, AN ACT MANDATING EMPLOYERS TO PROVIDE PAID SICK LEAVE**

The Quinnipiac Chamber of Commerce *opposes* SB-913, which will require employers with 50 or more employees to provide up to 6 days of paid family and medical leave to employees.

Businesses, particularly seasonal industries, start-up businesses and small businesses with fewer than 100 employees, need the flexibility to design a wage and benefit package that allows them to grow and add jobs. Most of these businesses operate with razor thin profit margins and are tightly staffed. These companies simply can't absorb the cost of additional government mandates.

During these difficult economic times, many business owners are not drawing any salary for themselves so that they can continue to pay the bills needed to keep their doors open until times get better. Some have even taken funds from their own savings to keep operations afloat. When faced with increased personnel costs and inflexible government mandates, these companies may simply decide to stay small rather than expand and add jobs to our economy. Or, they may look to states with more supportive business climates in order to expand their businesses.

SB-913 undermines the ability of employers to develop common sense, fair policies that benefit their employees and allow the company to succeed, thereby ensuring continued employment. Sick leave policies vary from company to company because each company has different needs, different costs, and different obligations to its customers. For example, contractors that bid on construction projects would be hard pressed to cover mandated sick leave costs and complete projects on time and at the agreed upon price.

SB-913 will hinder profits, productivity and entrepreneurship – which are all critical to building and retaining a strong economy. While we encourage our member companies to treat employees fairly and offer them a mutually agreeable wage and benefits package, we oppose imposing a mandated paid sick leave policy on employers. In addition, the majority of companies already offer a generous package of paid sick days and it is dangerous to set a precedent of establishing a law that – once in place – could be increased as time goes on.

*The Quinnipiac Chamber of Commerce serves more than 800 member companies from the North Haven and Wallingford area. We are the largest non-metropolitan chamber in the state.*

Testimony from Ruth Camacho

Labor and Public Employees Committee on the issue of SB913,

I am writing to express my strong support for the upcoming paid sick time legislation. I work as a registered nurse in a community hospital and see first-hand how detrimental it can be for employees to come to work ill in an environment of immunocompromised patients. Ironically, I myself do not receive paid sick time from my employer because I was hired as a per diem worker since hospitals are cutting costs by not hiring nurses into benefited positions.

When a person gets sick and cannot take care of himself properly by resting at home, he ends up developing secondary, more serious illnesses that many times result in a hospital admission. Sadly, many of these admissions could have been prevented by simply taking time off from work to recover. A simple cold now has developed into bronchitis, which if left untreated will become full-fledged pneumonia. This, in turn, drives up the cost of healthcare for everyone and forces providers to prescribe costly medications. Instead of merely a sick visit to one's primary care provider at the onset of an illness, we are now seeing people wait until they are sick enough to come directly to the Emergency Department, a three-fold cost increase for our healthcare system.

I know personally how difficult it is to have to choose between paying your bills or giving yourself the proper time off to rest when you are sick. As a per diem RN, I do not receive paid sick days (or even health insurance) through my work. I have found myself in a situation where I have been forced to attend work, where I care for infants and pregnant women, when I was sick. I am not alone in this challenging position as many of my coworkers are also unprotected by this right to paid sick days. The outcomes for patient safety and public health can be catastrophic when the people taking care of you are not allowed to take care of themselves. After all, I would not want a nurse with a fever calculating narcotic dosages or handing infants if I were the patient.

It is overwhelmingly obvious that this legislation is key to basic workers rights. Public health is at stake here, not to mention the fiscal tax not having paid sick days is placing on our already burdened healthcare system. These are the reasons I fully support the measure to provide our workers with paid sick days.

Sincerely,

Ruth Camacho  
West Hartford



U.S. Women's Chamber  
of Commerce the relationship of business

**Testimony IN SUPPORT of S.B. 913 State of CT**

March 1, 2011

My name is Margot Dorfman and I am the CEO of the U.S. Women's Chamber of Commerce. I support S.B. 913, which would allow employees in Connecticut to accrue and use paid sick leave.

The U.S. Women's Chamber of Commerce was founded to support the continued economic advancement of women. We are both a product as well as a part of the great Civil Rights Movement. The Women's Chamber has over 500,000 members – young and old, students and retirees, employees and business owners.

Like the recent debates over health care, equal pay, and financial reform, the issue of paid sick days cannot be painted as a clear cut struggle between business owners and the labor force. We must recognize and appreciate that we have a 21<sup>st</sup> century workforce in which women have advanced in the workforce and in which families must value the often competing needs of work and family. Paid sick days are one important tool to help workers balance these needs, as well as to stay healthy and productive.

Just as the minimum wage sets a basic standard for wages, setting a minimum standard for paid sick days makes sense. Just as it is important for a law that would provide for equal pay for equal work in order to level the playing field, it is important to set a basic floor to allow businesses who offer paid sick days to fairly compete. Without such a law, businesses who already do the right thing are unfairly disadvantaged.

Paid sick days are an investment in our families, our workforce, and our health that we cannot afford to do without. I urge you to pass S.B. 913 to ensure fairness and health for both businesses and workers.

Respectfully submitted,

A handwritten signature in black ink that reads 'Margot Dorfman'.

Margot Dorfman



U.S. Women's Chamber  
of Commerce the relationship of business

Testimony IN SUPPORT of S.B. 913 State of CT

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Margot Dorfman'.

Margot Dorfman

*Testimony from Natasha Stapleton  
Hartford, CT  
March 2011*

*Committee on Labor and Public Employees in support of Senate Bill 913 for Paid Sick Days.*

As a food service worker that does not receive any form of paid sick time, I am in support of this bill. Many of our restaurant workers throughout the state do not have this benefit and we all pay the consequences. We are the last people that you want going into work coughing and sneezing.

I work at a local Wendy's where I do not receive paid sick days. If I get sick I either have to stay home and deal with not being paid for that day or I go into work sick. I have had to come into work sick on many occasions. This is more frequent in the winter months when the weather is colder and more people are sick and likely to get sick. We don't want sick people serving us food in a time of year when we are all already vulnerable to sickness. Sometimes when either a fellow co-worker or myself comes into work really sick we will be sent home. Then what? We have to bite the bullet to go to work sick just to be sent home without pay anyways. This puts me behind on bills and in a tough financial situation, which I have no choice but to suffer.

Everybody truly benefits from a policy like paid sick leave. Those of us who dread the day we wake up with a fever do not know when the time will come when we fall too far behind on bills, but without paid sick time it is likely to happen eventually. We cannot afford to work without paid sick time. Our physical and financial well-being is at the mercy of people who are far removed from the reality that we live every day. Just because we are not white-collar workers does not mean we do not deserve a white-collar standard of living. We work hard and should not have to worry about our future because of a silly illness.

I know you will do the right thing and provide access to paid sick leave for the hundreds of thousands of Connecticut workers that need them most. I thank you for the time you are taking to read what I have to say and I hope it has some effect on how you see this issue. It is a real one for all of us. I am afraid our voices often go unheard and our every-day problems go unnoticed. Please think of what this bill will do for so many throughout the state.

Priscila Villanueva, Manchester, CT

Testimony IN SUPPORT of SB-913 for Paid Sick Days

March 1, 2011

Testimony for the Labor Committee on the Paid Sick Days Legislation:

I am in favor of SB 913.

Many of us are living paycheck to paycheck, and cannot afford to lose a day's worth of pay. One day represents 20% of a weekly paycheck that makes a big difference in my ability to pay my bills and care for my family.

At my previous job I did not receive a single paid sick day. This put me in the position where I had to choose between my health and being able to pay my bills.

This legislation would make a huge difference in the lives of workers in Connecticut. Everyone deserves to be able stay home and take care of themselves when they are ill. Please make this bill one of your top priorities; the people of Connecticut need it.

Donna Dawson, Windsor, CT

Testimony IN SUPPORT of SB-913 for Paid Sick Days

March 1, 2011

Testimony for the Labor Committee on the Paid Sick Days Legislation:

I am in favor of SB 913.

Recently I have seen firsthand, what it is like to not have paid sick days. My mother was recently hospitalized due to illness, without paid sick days. As if the high hospital bills weren't enough, she also suffered from a loss of income. Losing her pay made it even more difficult for her to pay her medical bills in addition to all her other bills.

Workers like her deserve protection. No one should be hit with both medical bills and a loss of income, all at the same time. Workers deserve to be able to take care of themselves when they are sick. Allowing workers to have paid sick days would mean one less worry. At least if a worker misses work they will still have a full paycheck.

Please support the paid sick days legislation.

1605 Connecticut Ave, NW, 3<sup>rd</sup> Floor, Washington, DC 20009<http://www.picnet.net>**Testimony IN SUPPORT of S.B. 913**

March 1, 2011

My name is Ryan Ozimek, and I am the CEO and co-founder of PICnet, a web development consulting firm. I support S.B. 913, which would allow employees in Connecticut to accrue and use paid sick leave.

PICnet is located in San Francisco and Washington, D.C., the two localities in the country with paid sick days laws in effect. We have six employees in D.C. and one employee in San Francisco. Since we opened our doors in 2001, every employee has been able to earn up to six paid sick days each year. The paid sick days laws have not had a negative impact nor have they increased costs for us.

Providing paid sick days is less expensive than you may think, for a couple of reasons. First, my employees use paid sick days in a responsible way. For example, few use all of the days available because they only take the time off when they truly need it due to illness. Second, if they were to come to work sick, I would ultimately lose much more money because sick workers are both less productive and risk infecting my entire workforce. By showing respect for my employees and their health and that of their families, they are more dedicated to their work at PICnet.

Just as businesses in San Francisco and D.C. were worried about how a paid sick days law would affect them, I suspect the same concerns are present right now in Connecticut. From a business who has employees in both of these cities, I can tell you that paid sick days laws have not negatively impacted us. In fact, paid sick days make good business sense and it is wise government policy to promote healthy workplaces.

Respectfully submitted,

A handwritten signature in black ink that reads "Ryan Ozimek".

Ryan Ozimek  
CEO and co-founder of PICnet

Deborah Brody Chen, RN, BSN, of Cheshire, CT, Testimony IN SUPPORT of SB-913 for Paid Sick Days

February 25, 2011

**Testimony for the Labor Committee on the Paid Sick Days Legislation:**

I am a baccalaureate-degreed registered nurse with additional twenty years' training in Chinese Medicine. I serve on the medical unit at Middlesex Hospital, in Middletown, CT. Prior to entering nursing I ran a small business for ten years. I am also a single mother who has raised two children and been responsible for the health of our family.

As a health-care professional, as a former small business owner and as a mother, *I earnestly entreat all legislators of good wisdom, good will and good conscience to pass SB-913, an act mandating employers provide paid sick leave to employees*

The statistical evidence and arguments relating to worker productivity, cost to businesses, public health and social welfare are already before you [I refer you most specifically to Miller and Williams (2010) *Valuing Good Health in Connecticut: The Costs and Benefits of Paid Sick Days*, which is available at <http://www.1wpr.org/initiatives/family-leave-paid-sick-days>.]

For my part, I will tell you what I see in my home and in my work

**The foremost and best treatment for illness is prevention.** The cycle of disease transmission is STOPPED when you avoid contact between infected individuals and others around them.

- ❖ When workers don't have paid sick leave they come to work sick. They infect their co-workers and they infect customers. *In my observation this occurs even when good hygiene practices such as hand washing and sanitizing of equipment is observed*
- ❖ The workers who are most at risk of having no paid sick leave are also precisely those whose work puts them in the position to infect the broadest and most vulnerable segments of our population: grocery and food service workers, child and elder care workers, transportation workers.

**SB 913 will remedy this situation and prevent the spread of disease precisely where we have left the greatest risk.**

**After prevention, the next best treatment for illness is proper hydration, nutrition and REST.** Minor illness, if treated with hydration, nutrition and rest, will run its course in 24-72 hours. By contrast, if the individual works while sick the course of illness is protracted to anywhere from 10 days to three months. The risk of short-term exacerbation requiring hospitalization, *as well as the long-term issue of hastened onset, increased incidence and greater complexity of chronic degenerative diseases of old age* also *rises* with each untreated instance. This is my direct observation over twenty years as a mother, as a teacher and as a nurse in acute care

Without paid sick leave, workers – especially low-wage workers – come to work sick and this sets in motion all of the adverse consequences of untreated illness and its attendant COSTS:

- ❖ Impaired productivity.
- ❖ Work errors

- ❖ Emergency room visits / hospitalization for illness exacerbation.
- ❖ Future increased chronic disease burden for the society as a whole.
- ❖ Currently our nation devotes over 17% of GDP to health care. Emergency room as primary care facility, initial and repeat hospitalization for exacerbation of illness, and chronic disease burden of middle and old age are the three demographic features most responsible for the excessive cost of health care in this country. These three factors increase the demand for costly and repeat services and thus increase the cost that we all must pay: whether out of pocket as individuals, or via employer and employee premiums to private insurers, or by taxation to support programs such as Medicaid and Husky

*By mandating paid sick leave, SB-913 will prevent the adverse health consequences of untreated illness AND reduce the current excessive health care costs to individuals, businesses and the state.*

**Lastly, I would like to state that the mandating of paid sick leave is especially vital to women's health, and thus also the health of our children and our future.**

- ❖ Women have always been the primary caregivers for all family members: children, elderly, and sick or injured spouses. With the vast majority of households now being either dual income or single parent, the burden upon women's shoulders is even greater. We are equal to the task, but we need the support of mandated paid sick leave to discharge our labors to family: so as to ensure family members' health, and so as to minimize the cost to society at large that would be necessitated by paying others to care for family members in our absence.
- ❖ In addition, paid sick leave is an essential link in the assurance of proper prenatal care, especially for low-income women. The dismal birth health and survival statistics of this country – 46<sup>th</sup> in the world, dead last amongst developed nations – attests to how critical this issue is already. The future health and wealth of our state and our nation depends on the health and vigor of our children, from pre-natal care forward.
- ❖ Finally, spousal abuse is a significant health issue for an all too large portion of our female population. Paid sick leave is an essential and supremely cost-effective link in the safety net to allow women to get timely treatment for injury without fear of loss of wages or employment, at precisely the time when every economic resource is absolutely indispensable to freeing themselves from the circumstances of abuse

We the people look to you our elected representatives to enact laws to provide for the commonweal of our state. SB-913, an act mandating that employers provide paid sick leave to employees is a measure that will provide for the health of our citizens and the health of our economy. I sincerely ask you to make it law

Respectfully submitted in public testimony,

Deborah Brody Chen, RN, BSN.

2/10/2011

Senator \_\_\_\_\_, Representative \_\_\_\_\_, and the labor community,  
 I am Marichris Carraga, a sophomore Nursing major at the University  
 of Connecticut ~~and~~ in Storrs, CT and an employee at Reliance  
 House Inc. in Norwich, CT, which is my hometown. As a person  
 who has seen first-hand the ~~disadvantages~~ imperativeness  
 of paid sick days, I am testifying in support of SB913 An Act  
For Paid Sick Days.

Reliance House Inc. is a non-profit organization whose mission is to ~~positively~~  
~~improve~~ enhance the lives of adults dealing with mental illness, drug-dependency,  
 and/or homelessness by providing them with life skills to lead to eventual, transitional,  
 independent living. As a result, many of our residential facilities require  
 24-hour care and intimate and direct contact with our "members" (clients).  
 Therefore, health is of definite care and obvious priority from both the clinical,  
 professional perspective and member-patient perspective.

Essentially, clinical staff plays a vital role in overseeing the health  
 of the patients. In ~~Reliance House~~ the residents, members interact  
 with staff <sup>nearly</sup> every moment of the day, ~~thereby~~ increasing the risk of cross-  
 contamination, particularly if the staff are sick, themselves. The level  
 of intimate contact can range from preparing meals to administering  
 medication directly to the patient. Thus, it is ideal that staff members  
 who fall ill be excused with paid sick days to maintain ~~the~~ sanitary  
 and germless ~~and~~ environments, particularly in a healthcare  
 or ~~service~~ <sup>service</sup> setting.

Residential facilities are often a source for infection as members  
 who are ill are incredibly dependent on staff. ~~The~~ As a result,  
 the risk of contracting an infection from working with a member

is incredibly increased for employees. The risk of exposure is extensive.  
~~Paid sick days are essential~~ SB913 An Act For Paid Sick Days will  
undoubtedly allow for healthcare services to provide the quality  
care intended for its patients by ~~guarantee~~ lowering the  
chance of cross-contamination, reducing risks of illness/disease transmission,  
and keeping a clean, sanitary environment for all aspects of a  
clinical setting. Please vote for SB913 An Act For Paid Sick Days  
and ~~for~~ guarantee quality healthcare settings. Thank You.

Marichris Carrugia  
79 Mohegan Park Rd  
Norwich, CT 06360

*Testimony from Shontay Watts  
New Haven, CT  
March 2011*

*Committee on Labor and Public Employees in support of Senate Bill 913 for Paid Sick Days.*

I am in support of the paid sick days legislation. This is an issue that affects many throughout the state who do not receive paid sick leave. This includes myself. Last year I had two part time jobs, both in the food service industry, which did not give me any paid sick days at all.

An unfortunate aspect of not having paid sick days is that I cannot take care of my children when they are sick. However, I am one of few people lucky enough to have a very supportive family who helps me take care of my children. I don't know what I would do without them.

Last year one of my co-workers took time off because he caught the flu at work. My boss cut his hours and now doesn't have as many hours as he did before because he took time off from work to recover from his illness. Our boss felt the need to reprimand him for taking the time off. Instances like this make me afraid of taking time off from work when I am sick. I never missed work because I worried about losing my jobs. I couldn't even take my daughter to the emergency room without fearing that my bosses will cut my hours.

Not only does not having paid sick days prevent me from taking care of my children when they are sick but also it makes it hard for me to schedule regular appointments with the doctor for them. Fortunately, my sister or mother is able to make their appointments and take them to their appointments.

In one instance a couple years ago, I had to go to work with pneumonia. I was so sick that I went to the emergency room right when my shift ended at 12:30 am and although I was advised to stay home and rest, I had to go to work sick because I couldn't afford to lose pay. Not only did I have to come in contact with many customers whom I could have gotten sick but it also affected my job performance. For example, at my job I had to put the cash for the day in a slot, however since I was so sick I accidentally threw it in the trashcan. Luckily, the trash had not been collected, so my manager was able to go into the dumpster to collect the money. The company could have lost more money from me coming to work sick than if they had just paid me to stay at home and get better. It would have been better for both me and for my employer to give me a paid sick day, because I would have been more productive and wouldn't have run the risk of getting customers sick which could have resulted in a lawsuit.

The paid sick days legislation is important to every worker and business throughout the state of Connecticut and it is my hope that we will see this through for the hundreds of thousands that need paid sick leave.

Testimony IN SUPPORT of SB-913 for Paid Sick Days

March 1, 2011

Testimony for the Labor Committee on the Paid Sick Days Legislation:

I support SB 913, the paid sick days legislation. Workers should not be punished simply because they are ill.

Where I work, I am often exposed to illness, and sometimes get sick from my job. However when I get sick, I am not able to stay home and take care of myself. I cannot afford to lose pay. I need my full paycheck in order to pay my bills, losing a day or more of pay can make it difficult to pay those bills.

On top of losing pay, missing a day of work can mean putting my job at risk. My job does not allow you to bring in a doctor's note. Instead calling out is counted against you.

I urge to support paid sick days legislation the will allow workers to stay home to recover from an illness and not be punished for being ill.

Deborah Blake

269 W. Hazel St.

New Haven, CT

Testimony from Marc Mastraichio

West Haven, CT

March 2011

*Committee on Labor and Public Employees in support of  
Senate Bill 913 for Paid Sick Days.*

It is very important that you vote for paid sick days legislation this year. There are too many people risking the health and safety of others with the obligation of going into work sick.

I am currently not working due to an injury but for the past 20 years I have had a union job as a roofer, and have not had paid sick days. After six months on workers compensation my health care has been revoked. This has made matters even worse. At a time when I need them most, these benefits are not available to me. As a foreman, I hear about many of the worker's problems such as having to come into work sick.

My field of work is very dangerous; often we work on large skyscrapers and do heavy-duty work, yet when someone is sick they are still expected to come in to work. Not only is coming into work sick dangerous for the workers, but they are putting the health of their coworkers at risk. Due to the nature of our work we are exposed to the elements and rough weather more so than in most lines of work making us more vulnerable to illness.

I have had guys come into work with fevers because they cannot afford to lose a day's worth of pay. Many of my coworkers and I are supporting families, and with the harsh economic climate it is especially difficult to lose any money from a paycheck.

The ultimate health and safety of my fellow workers and myself will not be ensured until there is a paid sick days standard in the state of Connecticut. I appreciate your attention to this issue and urge you to make paid sick days a reality for the hard working people of Connecticut.



**NARAL  
Pro-Choice Connecticut**

**Labor & Public Employees Committee  
Testimony of Jillian Gilchrest, Executive Director  
NARAL Pro-Choice Connecticut  
March 1, 2011**

**SB913, An Act Mandating Employers Provide Paid Sick Leave to Employees**

NARAL Pro-Choice Connecticut is a statewide non-profit organization that uses the political process to ensure that women have the right to make personal decisions regarding the full range of reproductive health choices, including preventing unintended pregnancy, bearing healthy children, and choosing legal abortion.

NARAL Pro-Choice Connecticut supports SB 913 An Act Mandating Employers Provide Paid Sick Leave to Employees. We view this policy as an extremely important public health measure that will give Connecticut's low-income workers an opportunity to access much needed preventative care.

Connecticut's working poor experience significantly higher rates of serious illness and disease that in many instances could have been prevented with adequate care. The same can be said of pregnancy. In terms of prenatal care, low-income women in Connecticut have higher rates of inadequate, late or no prenatal care, have higher rates of low birth weight, and are more likely to die as a result of pregnancy than higher income earners in the state.

Adequate prenatal care is necessary for a healthy pregnancy and healthy child and is directly linked to preventing woman and child from costly health conditions later in life. Our state should be doing all that we can to ensure that low income working women be given the opportunity to attend their prenatal visits—and for a healthy pregnancy that is 12 visits. Women in Connecticut shouldn't have to choose between a healthy pregnancy & child or their paycheck.

For four years the legislature has debated the issue of mandating paid sick leave. SB 63 addresses many of the concerns that have been raised over the years and is a fair compromise. Today, you will hear from many advocates in support of paid sick leave for a variety of reasons,

Jillian Gilchrest, MSW  
860-523-1227

[jillian@pro-choicect.org](mailto:jillian@pro-choicect.org)

NARAL Pro-Choice Connecticut  
West Hartford, CT

P.O. Box 270390

06127-0390



NARAL  
Pro-Choice Connecticut

including concerns over public health and job security. In this economy, working families cannot afford to lose their job as a result of themselves or their loved ones falling ill.

You will also hear from opponents of paid sick days who perceive this legislation as a business killer, even though business owners in San Francisco where similar legislation has passed are now in favor of the measure. And Forbes Magazine attributes the real business killer to be sick workers.

Please don't let unfounded fear tactics delay this important public health measure any longer. We need to improve upon the stark health disparities that exist in our state. Please support SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees. Thank you.

Jillian Gilchrest, MSW  
860-523-1227

[jillian@pro-choicect.org](mailto:jillian@pro-choicect.org)

NARAL Pro-Choice Connecticut  
West Hartford, CT

P.O. Box 270390

06127-0390

Testimony for Rebecca Jones  
Manchester, CT

Labor and Public Employee Committee on the topic of SB913 paid sick days

I believe the issue of paid sick days to be of vital importance and support the measure to require employers to provide this safeguard to employees. I have personally felt the impact of working at jobs that did not afford this very basic health protection. Recently I worked at for a direct mailing company that provided no paid sick time. It is one of those provisions I did not fully appreciate the importance of until it was gone.

When employees are denied the ability to care for themselves something very basic is being taken away from them. People should not be forced to choose between either recovering from an illness or being able to pay rent or buy groceries. In my job at the bank because we were not offered sick time many of us would come in sick. We would have to come in. When my coworkers and I would come in sick, illnesses which could have been short and un-medicated then turn into longer lingering viruses which can develop into sinus infections or worse. This is all at the employee's expense. At Data-mail we worked with the public and so employees who were sick would expose customers. It is horrible working sick but it is that much worse knowing that because you deal with the public you could be responsible for others getting sick.

Everyone in Connecticut who is working hard to pay their bills and be a productive member of society should have the opportunity to take the time they need to recover from an illness without the stress of lost wages. I hope you consider this legislation very carefully because there are many people who need this safeguard.

Thank you for your time.

Sincerely,  
Rebecca Jones

Testimony for Margaret Camacho

Labor and Public Employee Committee on the topic of SB913 paid sick days

I would like to first express my appreciation that the committee is hearing essential testimony on issue of paid sick days. I say it is essential because it is the public who will be deeply impacted by this legislation. Protecting employees here in Connecticut is one of the crucial roles of the legislature.

I am and have been an ESOL teacher here in Hartford for twenty-seven years. In that time I have seen the impact on student's lives and families' lives when they do not have this necessary and basic proviso. I am therefore, as I hope you are, in support of the paid sick days legislation.

The most obvious repercussion of denying employees paid sick time is that they will go to work sick. Aside from this being detrimental to their health it is pernicious to the public. Giving employees the opportunity to stay home when ill is key to stemming the spread of viruses. This includes among coworkers as well as the public.

In the classroom there are other repercussions felt from the denial of this critical safeguard. I will give two different examples from my experience. At the lower grade levels students are forced to go to school sick because their parents are not able to stay home and care for them. One of the central roles of a parent is the care of their children. This fundamental responsibility is being denied to parents by the denial of paid sick time. The children are then forced to school much the same way their parents are forced to work when sick. The viruses spread quickly amongst children and soon you have a virus going around the whole school, to the teachers and the administration. This increases costs to the school system. The second repercussion is felt at the higher, grade levels. At the high school level students are forced to stay home when a younger sibling becomes ill and the parents are not able to take the time off of work to care for them. This means that students who should be in attendance at their institutions of learning are instead forced into the roles denied to their parents. Students staying home to care for younger siblings are losing education-hours. They also, many times, become sick themselves and miss out on more school.

It is critical that we allow parents to fulfill their parental charge and care for their children. It is wrong and immoral to deny this. These have not been hypothetical situations that I have described but are the real experience I have observed in my many years as a public school teacher here in Hartford.

Sincerely,  
Margaret Camacho  
West Hartford

Testimony for Crystal Williams

Committee on Labor and Public Employees regarding SB913 paid sick days

I implore you to support the paid sick days legislation. This is a necessary protection for our workers here in Connecticut. I am an Assistant Teacher and student. I think no one should have to work when they are sick. The repercussions of this lack of protection are felt even in the school system.

Teachers in Connecticut are given paid sick time off. The reason for this is obvious, sick teachers should not be in the classroom. If teachers were not protected by this provision the costs for schools would increase due to the increased need for substitutes because when workers are forced to come to work sick they spread illness to their coworkers as well. The same must be true for other industries. Sick workers lower the productivity of any industry and not providing this provision would only cost the companies more in the long run.

When the parents of children at my school do not have the ability to take time off due to illness it is the children who suffer the consequences. Every year there are many children sent to school sick because their parents could not take the time out of work to stay home and care for them. This is unacceptable. When these children come to school they spread their illness to other children, as school age children tend to be very tactile. They are also getting the teachers sick as well. This causes teachers to stay home, increasing the costs to the school system because of the increased demand for substitutes. Some of this illness is unavoidable but allowing parents to care for their sick children would surely help to prevent the spread of illness.

The paid sick days measure is a necessary protection for workers. We need to ensure that parents have the ability not only to care for themselves but for their children. Since businesses have not stepped up to the plate and provided this basic protection to their workers it is time for the state to defend employees when they become ill. Everyone should be allowed the capacity care for themselves and their families.

Thank you.

Sincerely,  
Crystal Williams  
91 Millwood Rd  
East Hartford

Testimony for Sandra Fitzpatrick

Committee on Labor and Public Employees regarding SB913 paid sick days

Thank you for the opportunity to present my experiences on this issue

I am in support of paid sick days. I support the issue after having seen the toll not having paid sick time has had on my family members. I have had jobs where I have had paid sick time and not had paid sick time. I know how important it is to be able to stay home and take care of yourself. Sometimes there are factors beyond your control and as an employee you need the ability to take a day off when family health issues come up. This is especially important as a parent. An employee should be able to care for their children and not have to worry about if he or she will still have a job when they get back to work.

My Granddaughter is one of those people in this scary position. I prefer not to use her name here. She has two children, one age 7 and one age 3 Her youngest child has had bronchial complications from birth. This means he needs extra medical attention. He has been in and out of the hospital for all of his life. When he needs to go into the hospital my Granddaughter has to take time off of work. This has caused unfair treatment of her by a supervisor, a loss of job security, and I think punitive actions against her work schedule. She works at a major corporation who can definitely afford to offer her paid sick time off without giving her trouble about her absolutely necessary absence. It is sad that we live in days when it is justified for big business to care so little about their employees and deny them adequate worker protections.

My Granddaughter has had to take a few days of a year to handle the occasions when her son would have a complication. She has received nothing but grief for this by one of her supervisors who has made her life very difficult. She now is scheduled on the night shift, we believe, as punishment for missed work due to her son's hospitalization. Her job is far from secure. It is simply unfair the way she is treated by her employer.

This legislation needs to be passed so that employees here in Connecticut can be protected when they get sick and also so they can be protected from vindictive management when they need to recover or care for their family in times of illness and hospitalization. Thank you for your time.

Sincerely,  
Sandra Fitzpatrick  
West Hartford

Deb Coggshall, Rocky Hill Testimony IN SUPPORT of SB 913

March 1, 2011

I support SB 913. Employees in Connecticut should be able to stay home when they are sick, rather than spreading illness in the workplace.

I have worked as a server, where like most other restaurant workers I did not receive paid sick days. Without paid sick days I often saw workers come in sick to work, and risk spreading their illness to co-workers or customers. I was often unable to afford missing a shift, I could not pay my bills without a full paycheck.

Furthermore I felt my job was at risk if I did call out. I felt like I was very replaceable and feared upsetting my boss by calling out sick. My co-workers often felt the same way. Calling out was not really an option. I could not afford to lose the pay or even worse my job, so I suffered through my illness and went to work sick.

When you think about it restaurant workers are the people that need paid sick days the most, no one wants someone sick preparing or serving food. It was not uncommon for me to see co-workers sick, coughing or sneezing at work. This is unhealthy for everyone, when food service workers are going to work sick.

Please support paid sick days. People that are handling food, should be allowed to stay home and get better. Make sure that workers are not punished for being ill, through loss of pay or worse loss of their job.

CONNECTICUT  
*Restaurant*  
ASSOCIATION

**Connecticut Restaurant Association Testimony  
Before the Labor and Public Employees Committee  
March 1, 2011**

**SB 913 An Act Mandating Employers Provide Paid Sick Leave to Employees**

The Connecticut Restaurant Association represents over 600 restaurants and hospitality industry businesses across Connecticut. We support government initiatives that help create a strong business climate, create new jobs, promote a vibrant state economy, and restrict government interference in the daily conduct of our businesses. We believe that lower taxes, pro-business legislation and reasonable regulations support our businesses' ability to prosper and make Connecticut more desirable for future business growth.

The Connecticut Restaurant Association strongly opposes SB 913. Mandating Connecticut employers to provide paid sick leave to full and part time employees is an extremely costly measure that will result in fewer jobs and even less job growth in an already struggling economy. Even in better economic times, not all businesses can afford the expense of paying employees who do not come to work. This is not indicative of the business owner's lack of concern for his/her employees, but rather the reality of owning a small business.

The restaurant industry already offers flexibility to its employees. We provide flexible work schedules and hours that meet the needs of both the workplace and our employees. If this proposal becomes law, restaurants will be forced to double pay for a shift when an employee calls in sick. We will have to pay them for the day off, as well as pay their replacement to cover that shift. It is a cost that is simply unaffordable.

Mandates such as mandatory paid sick leave hit small businesses especially hard. Restaurants earn roughly four cents in profit on every \$1 in sales. These are tight margins. Restaurants cannot pass this cost on to customers. Increased costs would have to be recouped elsewhere.

Connecticut's Restaurants provide jobs to over 145,000 people. We recognize the value of their contributions to our businesses, and will continue to be good employers and do as much as we can to provide the best possible working environment. However, the decisions about their benefits package must remain those of the business owner.

We urge you to reject this proposal. Thank you for your consideration.



**Testimony Before the Labor Committee on SB 913**

March 1, 2011

As Owner and President of the U.S.S. Chowder Pot Restaurants, two large seafood restaurants in the State of Connecticut, this new bill for Mandatory Paid Sick Leave will drastically hurt the bottom line of my restaurants.

- An estimate of the cost in just one of my restaurants will result in an additional \$60,000 of payroll costs, not including payroll taxes.
- Our restaurant business has been drastically impacted by this recession which we believe to be ongoing and I cannot see us increasing any of our menu prices. People are dining in fast food and less expensive restaurants. Our food and supply costs have increased 20-30% while our sales have declined 10-15%. We also expect energy and utility prices to drastically increase due to the oil crisis and other events going on around the world.
- There have also been increases in expenses such as minimum wage and the taxes associated with the minimum wage, the special assessment for unemployment, increases on liability and workers' comp insurance, maintenance and repair fuel surcharges from purveyors and major increases in town taxes.
- We do allow our employees to have necessary time off by allowing them to get others to work for them while they are out and vice versa.
- As far as monitoring a program to support this law, it would put a major burden on office staff which already is very busy monitoring costs.

The additional costs described above greatly reduce gross profits and I cannot pass on these costs. If this Bill # SB913 passes, I would be forced to close both restaurants resulting in a loss of approximately 240 full time and part time jobs to the State of Connecticut.

I strongly urge the legislature to vote NO on Bill # SB 913.

Thank you for your consideration.

Johnathan A. Smith, Owner and President  
U.S.S. Chowder Pot IV of Hartford, U.S.S. Chowder Pot III of Branford

165 Brainard Road, Hartford, CT 06114  
860-244-3311

My name is Robert DeZinno. I am a resident of Middlebury, CT, and Director of Operations for Backstage, a restaurant which opened in Torrington on January 24, 2011. I am writing IN OPPOSITION TO SB 913, AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES.

Backstage has created 61 good jobs for Northwest Connecticut residents. We expect our annual payroll expense to exceed \$800,000. Our servers and bartenders will earn an additional \$300,000 to \$400,000 in tips paid directly to them by our customers.

SB 913 further takes Connecticut down the path as America's least business-friendly state. No other state mandates this "benefit," putting government between an employer and his/her employees in the negotiation of employee benefits.

- Calling Paid Sick Leave a benefit is pure subterfuge. Mandated Paid Sick Leave is no more than a legislated entitlement, to be first enacted in a state that is currently struggling to find the dollars required to honor its promises to its own employees. Easily enough, the expense of state payroll is borne by others than those who have created the largess of state employment.
- Restaurant owners are small businesspeople working uniquely long hours to provide for their own families. The expense of paid sick leave, like all operating expenses, must be born by them. Customers look for value when they patronize any business, and they do not calculate the hidden expenses of operating a business in Connecticut when looking at menu prices.
- In order to pay an employee to stay home, the restaurant owner must reduce the amount of his/her own earnings. The restaurant owner has worked hard pursuing the American dream, only to be punished by statute.
- Unlike most businesses, a restaurant must be staffed fully to provide proper customer service. When employees call out sick they must be replaced. Paid sick leave actually doubles the payroll expense for that position on that day.
- This is not a "public health issue," as it has been labeled by some. It is not about employees being forced to work while sick. It is more about Connecticut's labor mentality of "more, more, more." Reported in Bloomberg Business Week, December, 2010: The number of workers who have falsely called in sick has jumped almost 20 percent since 2008, according to workforce productivity company Kronos, and now 57 percent of U.S. salaried workers play hooky.
- Recently, Wisconsin teachers, angry about the possibility that they might need to "share sacrifice" with taxpayers, called out "sick" in such numbers that the state's school system was forced to close: I cannot find any information to support this thought: How many Connecticut state employees used paid "sick" time to attend the recent rally in support of Wisconsin state employees? If the number is one or greater, the action was an insult to Connecticut taxpayers. If the number is zero, I offer all in attendance that day an apology.
- Since opening our restaurant one month ago, we have experienced no fewer than 2 dozen occurrences of employees switching shifts or asking for time off for non-illness reasons. The employees involved were more than willing to forego the day's pay to attend to their personal needs.
- Wise employees know to put just a few dollars away each week to get through a few lost days of pay due to a real illness. These employees are happy to have good jobs, and understand that continued employment for everyone would be jeopardized by a state mandate requiring employers to pay people when they DO NOT come to work.
- Enactment of SB 913 will cost 12 good people their new jobs. We will be forced to operate our restaurant with less than 50 employees so that we will not be forced to comply with this onerous entitlement.

Testimony from Robert Hansen

Labor and Public Employees Committee on the issue of SB913,

Thank you for providing a platform for the public to voice their concerns on this issue.

I am addressing you in support of the paid sick time legislation. Connecticut has gone too long without this necessary precaution. As a food service professional I know first hand just how important this topic is.

I have been a chef for twenty-seven years. During that time I have not had sick leave as a provision. There have been times when I was sick and had to go to work sick because otherwise I would not have been able to provide for my family. With three children staying home has simply not been an option; there are bills to pay, food to put on the table and the other necessities that go along with youngsters as well as unseen or unexpected expenses. I believe no one wants to work sick. When a food service employee comes to work ill it is not malicious. I have seen servers and hosts come into work sick and watched as it spread to the other servers and then to the back of the house to the cooks and managers.

The danger behind not providing paid sick time to food service employees is that not only are servers' illnesses spreading to their coworkers but patrons of the restaurant are also exposed. The United States we had a real scare when it looked like swine flu was becoming an epidemic. Restaurants can become hotspots if there is a bad virus spreading. The employees need the ability to protect themselves, stay home, and prevent others from getting sick.

I hope my testimony helps to persuade some of you that now is the time to get this safeguard passed for the employee's health and for the public's as well. We will all benefit from this bill. It may even help Connecticut prevent future outbreaks of serious viruses. Thank you for your time.

Sincerely,  
Robert Hansen

Testimony From Jessica DeRose

Labor and Public Employees Committee on the issue of SB913,

Thank you for the opportunity to voice my concern on the issue of paid sick leave being debated before you.

I am testifying as a concerned citizen and student here in Connecticut. I have very personal reasons for advocating on this topic and I beseech you remain mindful my testimony as many people are in similar situations to mine and we are in need of this protection.

I was forced to go back to school because of basic benefits and protections that are denied to many workers in our state. I found myself in the situation where it seemed like there was no way out. I was working at DSW, a shoe store, which did not hire full-time employees because they did not want to extend benefits to their workers. Part of their business practice was to cut hours right before the employee could be considered full-time. There are those that would ask, "Well, why didn't you just look for another job?" In this economy jobs are not jumping out of the woodwork. Businesses know this and are using this fact to their advantage by keeping those of us dependent on these positions below the standards that should be mandatory for every employer. Not only are we forced to work without benefits like health insurance but we also are denied the fundamental ability to care for our own health, which is even worse.

None of my coworkers had the ability to take a sick day off. If we got sick we would either have to show up to work anyway or suffer the lost income. For me, personally, I have a daughter and cannot afford to stay home. Things were even more complicated if my daughter became ill. Because I was working part-time I was not able to save enough money to go back to school and improve my vocational prospects. It was a cyclical problem; I could not get a better job without more education and I could not go to school to get a better job because I was not earning enough money to afford to go.

My case is not singular. I have a sister who is working now without sick days. I have friends with \$80,000.00 worth of student loans working at businesses with no benefits and of course no sick time. I have seen businesses seeking to cut costs by cutting benefits to workers so they can maintain high profits. This is all at the cost of the disregarded employees who are suffering because of the lack of worker protections. Having the ability to stay home when you are sick is, like I said earlier, fundamental to one's ability to care for his or her health.

Sincerely,  
Jessica DeRose  
104 Lockwood Rd.  
Manchester

Testimony from Debra Warner  
Plainville, CT  
March 2011

*Committee on Labor and Public Employees in support of Senate Bill 913 for Paid Sick Days.*

I would like to express my support for the paid sick leave legislation. As a fortunate parent, I am offered a version of paid sick leave at my workplace. Medical issues that I have endured would have caused much stress for myself and my family if I were not able to take the time to get well.

I have worked at my current place of employment for 11 years. I have a history of back problems. There was a time that my back would go out for no reason and I would be in excruciating pain to the point where not only could I not go to work, I couldn't even stand. I had no choice but to stay home. My company has time allotment days, which can be used as vacation time or sick time. Since my company has this benefit for their employees, I was able to get paid for the days that I was not able to go to work. If my company did not have this benefit for their employees I would not have been paid for those days.

I am married and I have three children. Both my husband and I work full time with the benefit of paid sick time. My husband's paycheck covered the household bills and my check paid for before and after school care for my youngest child. This included groceries and doctor's bills. If I did not get paid for these days, I don't know how I would have paid any of these bills. I can't imagine anyone being put in this position wondering which bill they wouldn't pay so that they could buy food for their children.

I appreciate your attention to this bill and hope that you will make the right decision for Connecticut. This issue affects everybody and everybody would certainly benefit from its passing into law. Thank you again.

Sincerely,  
Debra Warner

Testimony from Phyllis Winkler  
Middletown, CT  
March 2011

*Committee on Labor and Public Employees in support of Senate Bill 913 for Paid Sick Days.*

As a veteran first grade teacher in Connecticut I am in support of Senate Bill 913 for Paid Sick Days. My colleagues and I see through our children the effects of a lack in paid sick time. A sick child in school has far-reaching repercussions.

When parents do not have the opportunity to take a day off to care for their sick child the child has to go to school ill. All too often I have children come to school because their parents don't have sick family time off. For many of these parents an unpaid day means that a bill does not get paid, groceries are a bit scarcer that week, or they are at risk of losing their jobs. The unfortunate result of this is children also not having the opportunity to stay home and get well. As with workers that lack paid sick time, students also cannot focus or do their work, especially first graders, when they feel ill. Too often a child is so miserably uncomfortable that their behavior also affects other students' ability to attend to lessons. Sick students also inevitably infect other students and staff, possibly starting the whole cycle over again.

Not offering paid sick time is an issue that pervades many areas of our society and is not just contained to a business policy. When it comes to the fragility of an individual's financial status or the collective health of our society we need to do the responsible thing in order to maintain some standard of living for us all. This is more important than insuring a few extra dollars for an already wealthy CEO.

For these reasons and many more do I support the paid sick days legislation. Paid sick days are good for the children I teach, their parents and for the rest of Connecticut.

Testimony for Tina Cox

Committee on Labor and Public Employees regarding SB913 paid sick days

I am writing in support of the paid sick leave legislation. I have experienced the effects of not having the ability to take time off when you are sick. I have had jobs in the past where no sick time was available to employees. Those policies are bad for business, they are bad for the employees, and they are bad for society in general.

Nothing is gained by a business when they force employees in the tense, immoral, position of choosing between their job and their health. When employees come to work sick they are less productive and they get their coworkers sick. There is no way anyone could believe this is good for business. By denying employees paid sick time businesses are forcing those people who cannot afford to lose the income to come into work sick.

I have seen this firsthand as I have been a server in the past. My coworkers and I would show up to work sick because we could not lose the income. It was not just the wait staff but also the bussers, hosts, and cooks. A restaurant that does not offer paid sick time during flu season has a host of staff passing their bugs to each other. This means that, after the patron is seated by potentially by a sick host, the guest's food is being cooked, brought to them, and cleared away by staff that is ill. Obviously this is the perfect environment for the virus to spread to the public. Not only are the employees in restaurants not allow to care for their own health but they are exposing restaurant patrons to viruses.

It simply makes no sense to deny this safeguard to employees. It will benefit everyone to allow sick people to stay home and recover from their illness. The last place they need to be is work.

Sincerely,  
Tina Cox  
80 Meetinghouse Ridge  
Meriden

To the Labor Committee: SB913

My name is Michelle Farber and I am a senior at the University of Connecticut. I am writing to you about bill 9116 - The Paid Sick Days bill. I pay for my own education, by working at Costco. Costco has helped support my educational goals by providing me with paid sick days. I got my wisdom teeth out at the end of last summer. I had a complication and had to miss work. I had accrued enough hours in order to receive pay for that time. Because of this, I was able to continue to contribute to my education.

Paid sick days are good for employees, which means they are good for businesses. Costco has shown that it is possible to provide for its employees health and has remained very profitable. Please support this bill because it is good for women, families and Connecticut.

Sincerely,  
Michelle Farber

March 1, 2011

Testimony of Dalila Glendenning, Manchester, CT

IN SUPPORT of SB-913 for Paid Sick Days

I support the paid sick days legislation. Workers deserve to be protected, when they are faced with unexpected illnesses. Workers should not have to fear losing pay or worse their job, due to a simple illness.

I recently have seen the devastating impact of having a job without paid sick days. I was working at Marshalls. Although the job did not provide paid sick days, I enjoyed the work. I worked hard and was loyal to the company; however the company was not loyal to me. A company like this could afford to treat employees like me with respect.

Recently I became sick with bronchitis; I needed to stay home so I could get better. Without paid sick days missing work would make it hard to pay my bills. My illness was so bad that I simply could not work, so I decided to stay home.

When I told my manager that I was sick and unable to come into work, my job was threatened. I was told that I needed to return to work or I would be fired. Unable to return to work, I ended up losing my job. As a result of losing my job I was forced to move. Now I am still recovering from the illness, and without a job.

I urge you to vote for the paid sick days legislation. No one should be fired because they are sick, no one should have to face a loss of pay just to recover from an illness. Providing paid sick days will allow employees to stay home and care for themselves or their loved ones in the case of an illness. The workers of Connecticut deserve paid sick days.

Testimony IN SUPPORT of SB 913

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Daniel Hayes of Deep River, CT

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March 1, 2011

Good evening members of the labor committee. I am here to talk to you about the paid sick days bill, and how important it is that this bill gets passed. Paid sick days allow employees to care of themselves and their families.

Personally I have worked many jobs where I could not earn a single paid sick day. This meant that I was forced to choose between taking care of my health or being able to pay my bills. Often I simply could not afford to lose a day's worth of pay, so I went to work sick. Workers should not be forced to make this choice. Paid sick days allow employees to take care of themselves and their families.

Many interest groups such as the Connecticut Business and Industry Association claim that paid sick days are not necessary since so many employers already offer them, or that this bill would create costs that employers cannot afford to manage. Perhaps the CBIA has not looked at the statistics around the number of lower-wage earners who do not have paid sick days, and perhaps they have not looked at how the percentage of workers without paid sick days grows the lower the worker's wages are. If they say that small businesses can't afford to pay people when they are sick, then I wonder how such businesses can afford to pay the employees at all. Since slavery ended, employers have had to pay people who come to work. Why is it that these employers can afford to pay people who come to work, but they can't afford to give a sick day? Finally, considering that the paid sick days bill only requires that employees can earn up to five sick days a year, this is not an undue burden on small businesses. In fact, it's not a burden on them at all. The sick time earnings proposed by this bill are based on what the employee works, not on what the employer provides. Passing the paid sick days bill is simply the right thing to do for Connecticut's working families. On that note, I'd like to tell you a recent story about my own family.

——My family has recently seen the benefits of paid sick days when, my four year old niece needed to have a planned reconstructive surgery on her feet. Luckily, my brother works in a job that offers paid family leave, so he is able to stay home with her for a few months while she recovers. My father also has an administrative position in the school system where they live, so if my brother wasn't able to get that leave, my father probably would. However, my sister in law and my mother are day care workers. They do not get

any paid time off at all. How can we consider it just that those who take care of other people's children are not able to care for their own? If my brother was a low-wage earner who had no paid time off he would not have been able to give his daughter the care she needed. For other families trying to cope with the demands of a child's ~~surgery~~ ~~with~~ ~~surgery~~ with no paid time off is challenging. Do they have to take the time off anyways and risk getting behind on mortgage payments? No one should have to risk homelessness because they need to stay home with their child. I don't understand how those who oppose this bill can claim that they support working families in any way, when they are clearly promoting injustice and inhumane treatment by denying basic protections that working families need.

Passing the paid sick days bill is simply the right thing to do for Connecticut's working families. Thank you for your time and please support the paid sick days bill.



# Hispanic Health Council

March 1, 2011

**Labor and Public Employees Committee Testimony**

**Re: SB 913, AA Mandating Employers to Provide Paid Sick Leave to Employees**

Jose Ortiz, President and CEO, Hispanic Health Council

Honorable members of the committee, I would like to thank you for this opportunity to address SB 913.

I respectfully ask each of you to recall the last time you went for your annual physical, a dental cleaning or perhaps your yearly mammogram. I am guessing the appointment took place sometime during your work day and you were able to get away from your desk long enough to take care of this important preventive appointment. Now, imagine that your job did not offer paid sick time. Imagine you faced lost wages, or worse a reprimand, or even being fired, for leaving work to take care of your health. This is the plight faced by too many Connecticut residents whose employers deny them paid sick leave.

At the Hispanic Health Council, our 75 full-time employees are allowed to accrue the equivalent of five days of sick time per year. Consistent with the bill now before you, they are allowed to use these days when they or their children are sick, for preventive care, and for appointments to diagnose and treat a health condition.

Instead of being costly to our non-profit agency, which has an annual budget of \$4.7 million a year, we believe that this benefit saves money by keeping our employees healthy. Offering paid sick time also can increase productivity by preventing illness from spreading through the work place and exponentially increasing absenteeism.

Offering paid sick time is the right thing to do both from an employee's and a business leader's point of view. I urge you to pass this important legislation.

175 Main Street  
Hartford, CT 06106  
860-527-0856  
[www.hispanichealth.com](http://www.hispanichealth.com)

From the desk of Claribel Gracia

Testimony IN SUPPORT of SB-913 for Paid Sick Days

March 1, 2011

Testimony for the Labor Committee on the Paid Sick Days Legislation:

I am writing in support of SB 913. I have seen the negative consequences when workers do not receive paid sick days.

Recently my mom was forced to choose between her health and her ability to pay her bills. She did not receive paid sick days, so when she needed to make a few appointments to see her doctor she knew this would mean losing pay. Ultimately she decided to lose the pay because she needed to go to the appointments. She went to her manager and requested time off in advanced to go to a series of medical appointments. She was expecting to have a hard time paying her bills that month. What she didn't expect was that she was let go as a result.

I also have worked jobs without paid sick days. This has meant going to work sick, risking my health as well as spreading my illness.

I urge you to support the paid sick days legislation. Workers should not have to lose pay, or worse their jobs because of an illness.

Thank you,

Claribel Gracia

77 E. Middle Turnpike

Manchester, CT



18 Timberline Drive  
Farmington, CT 06032  
(860) 674-1370 (phone)  
(860) 674-1378 (fax)  
[www.advocacyforpatients.org](http://www.advocacyforpatients.org)  
[patient\\_advocate@sbcglobal.net](mailto:patient_advocate@sbcglobal.net)

**Testimony of Jennifer C. Jaff, Esq.  
Executive Director  
Advocacy for Patients with Chronic Illness  
In Support of Raised Bill No. 913**

March 1, 2011

Good afternoon. We appreciate this opportunity to submit written testimony to the Labor Committee on Raised Bill no. 913.

Advocacy for Patients with Chronic Illness provides free information, advice and advocacy services to patients with chronic illnesses. As you can imagine, we get many calls from consumers with chronic illnesses whose illness, or whose children's illness, causes them to miss work, at least occasionally. Although they may be eligible for unpaid leave under the Family and Medical Leave Act, they suffer financial hardship as a result. For those who are not entitled to leave under the FMLA, a sick day may even result in the loss of a job.

Roughly half of all Americans have at least one chronic health condition, according to the Centers for Disease Control. Every one of them – or their parents, if they are children – will need to take time off for a doctor appointment or a treatment. That is the nature of chronic illness. Patients with chronic illnesses often have compromised or medically suppressed immune systems, which results in a greater rate of communicable illness, such as colds and flu, as well. Without the ability to take a sick day, an employee may not only prolong his own illness, but he may pass it onto others in the workplace.

Providing paid sick days removes a strong obstacle to accessing health care for the chronically ill, who too often have to choose between caring for their health and keeping their jobs. And the failure of patients with chronic illnesses to access care in a timely manner affects all of us; when a patient delays getting care, their condition may worsen and become harder to control. This may result in a downward spiral that ends with the loss of the job. And without jobs, many of us lose health insurance. And without health insurance, our health deteriorates further, and the cost of our health care is borne by all of the taxpayers. Providing a modest number of paid sick days is far more cost-effective and efficient than bearing escalating health care costs.

Finally, paid sick days is good business. As someone who runs a small business, I would prefer to provide a small number of paid sick days than to suffer increased employee turnover and the concomitant need for retraining, for example. And – yes, this matters – it simply is the right thing to do, engendering loyalty among employees.

In sum, for people with chronic illnesses, paid sick days are essential. Don't exclude us from the workplace; instead, give us a little help. We will reward our employers with loyalty and excellence.

Thank you.

Testimony regarding SB 913

By the Rev Joel S Neubauer

Pastor, Christ Evangelical Lutheran Church; New England Synod; Evangelical Lutheran Church in America  
300 Washington Street  
Middletown, Connecticut 06457  
860-347-6068  
pastor.joel.neubauer@gmail.com

To the Senate and House of Representatives in General Assembly:

The relationships I hold with neighbors as a pastor, volunteer and tax-paying homeowner in Middlesex County consistently point to the needs of our statewide community to support the healthy, industrious lives we lead as interconnected individuals. Because of the witness of these relationships, I support SB 913 in its aim to provide the low-cost benefit of paid sick leave to employees of Connecticut businesses.

The witness of my faith and of the social sciences both point to the almost universal desire of humans to be engaged in meaningful, productive relationships. While some might fear that mandated paid sick leave could be misused, a stronger possibility would point to a highlighted respect for health and wellness within the workplace by both employers and employees that would increase businesses' efficiency and output. Workers who are rightfully supported in properly maintaining health, in my experience, display the greatest dedication to their workplace commitments.

The benefit of economic respect for workers' health in the form of paid sick leave is both individual and communal: workers are individually guided to maintain their most productive levels of ability and are encouraged to remain within a competitive business setting wherein their health is valued; likewise, paid sick leave for individuals advocates for the continued health and productivity of co-workers who are freed from the fear of contracting illness.

We know that workplace benefits – such as paid sick leave – are valued by employers and employees by the exceptional leave and health packages of Connecticut business executives. The respect and support for wellness our companies provide their higher-ups seems to indicate that health is a priority value to those who are invested in Connecticut commerce and industry. Extending this simple and affordable benefit of paid sick leave to all Connecticut employees, as provided by SB 913, would only further invest workers in their greatest productivity. And because it is no secret that this bill will, when passed, disproportionately extend benefits to the economically poorest of our co-citizens, we can also be proud of the benefit of an increased social justice demonstrated by our state's governing bodies.

For its ability to broadcast Connecticut's commitment to the respect we hold for workers' health and wellness; for its benefit of adding a competitive edge to our businesses against other regional employers; for its protection of the wider public by allowing physically sick workers to heal without fear of retribution; and for its extension of justice to hard-working Connecticut citizens: I support this bill's enactment and look for Governor Malloy to quickly bring it into law.

In faithful and expectant peace,

Pastor Joel S Neubauer

Jonathan Kantrowitz  
Testimony in support of: SB 913

Labor and Public Employees Committee  
Senator Edith Prague and Representative Zeke Zalaski, Chairs

To the Committee:

My name is Jonathan Kantrowitz. I am the founder and CEO of Queue. Inc. Queue has been in business since 1980. We are a small educational publisher located in Stratford CT. We have 18 "full-time" employees who work 30 hours or more a week. These employees receive full medical benefits and 5 sick days every six months.

We provide paid sick days not only because it is the right thing to do, but also because it is good for our business.

First, providing sick days helps us attract and keep the best employees, and engenders in them a sense of loyalty and respect for the company, since they feel the company cares about them.

Second, providing paid sick days obviously discourages employees from coming to work sick. This has many benefits for our business. It reduces the likelihood that a sick employee will infect other employees, and it helps a sick employee recover more quickly so they can return to work. I also believe that sick employees are more likely to have accidents and some of our equipment has the potential to cause serious injury. Finally, sick employees are more likely to make mistakes, and in our business mistakes are extremely costly. Editorial, printing, and production mistakes hurt the reputation of our business and have caused us to reprint hundreds, and sometimes thousands of books. Even simple shipping and billing mistakes cause problems for our reputation and waste a great deal of our time remedying.

For our business providing sick days is a reasonable cost that is outweighed by the benefit of retaining good and happy employees and reducing workplace errors that have potentially far greater costs.

This year has been a difficult one for businesses all over the state and the country. We have all had to make choices and sometimes cut back. But paid sick days have remained an affordable necessity at my business that has a minimal cost and provides many benefits to my business and to my employees.

I thank the members of the Labor and Public Employees Committee for raising SB 913 and urge the legislature and Governor to adopt it into law.

Respectfully submitted,  
Jonathan Kantrowitz  
CEO  
Queue, Inc.  
80 Hathaway Drive  
Stratford CT 06615  
203-377-5367

GENERAL SERVICES AGENCY  
OFFICE OF LABOR STANDARDS ENFORCEMENT  
DONNA LEVITT, MANAGER



February 28, 2011

Labor and Public Employees Committee  
Connecticut General Assembly  
Room 3800, Legislative Office Building  
Hartford, CT 06106

Dear Committee Members:

Thank you for the opportunity to share our experience implementing the San Francisco Paid Sick Leave Ordinance (PSLO).

The Paid Sick Leave Ordinance was adopted by San Francisco voters on November 7, 2006, with 61% of voters voting in favor of the measure. The PSLO found that a large number of workers in San Francisco, particularly part-time employees and low income workers, did not have paid sick leave – or had an inadequate level of paid sick leave – available to them. The absence or inadequacy of paid sick leave among workers in San Francisco posed serious problems not only for affected workers but also their families, their employers, the health care system, and the community as a whole.

San Francisco was the first jurisdiction in the United States with a paid sick leave requirement. The ordinance took effect on February 5, 2007. *It requires all employers to provide paid sick leave to employees who perform work in San Francisco.*

While paid sick leave may have been a new concept to some employers and employees in San Francisco, we believe that the implementation of the law has been smooth. When the PSLO took effect in February of 2007, some employers initially reported that they needed additional time to adjust their payroll systems to ensure compliance with the new requirements. Since that time, we have heard relatively few complaints or problems from employers with respect to implementation of the law. Recent surveys conducted by the Institute for Women's Policy Research found that 2/3 of employers in San Francisco support the law.

I am not aware of any employer in San Francisco who has reduced staff or made any other significant changes in their business as a result of the sick leave ordinance. While San Francisco, like every community, has suffered in the recent recession, to my knowledge no employer has cited the sick leave requirement as a reason for closing or reducing their business operations in the city.

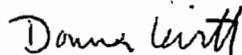
Our office completed an extensive public rulemaking process shortly after adoption of the law to provide guidelines on the PSLO requirements. OLSE also produced multilingual resources to explain the law to employers and employees. These materials are available for your review at [www.sfgov.org/olse](http://www.sfgov.org/olse). In addition, the San Francisco Department of Public Health has written a letter to every restaurant owner in the city reminding them of requirements of the PSLO and the importance of providing sick leave to prevent communicable disease. With an eye to the looming H1N1 crisis, last

spring OLSE and the San Francisco Department of Public Health also conducted a special outreach to parents and guardians through the San Francisco Unified School District. Because of the PSLO, San Francisco is uniquely positioned to deal with a public health emergency such as H1N1.

Even with the challenges of being the country's first municipality to implement a local sick days ordinance, I again state that our implementation has been very smooth. When we receive complaints from workers that have been denied paid sick leave, the complaints are usually resolved easily. Should Connecticut choose to implement a paid sick leave law, we would gladly make ourselves available to provide assistance based on our experience here in San Francisco.

Please let me know should you have any further questions, and thank you again for the opportunity to share our experience implementing the San Francisco Paid Sick Leave Ordinance.

Sincerely,



Donna Levitt  
Labor Standards Enforcement Officer

Dear Honorable members of the Committee:

I respectfully ask for your support for SB913, mandating employers provide paid sick leave to employees. As a seasoned health care provider, I believe that extending paid sick leave to all Connecticut workers will result in healthier employees, healthier workplaces, better public health practice, and potential savings in health care costs, for individuals and the State.

As a nurse practitioner in primary care, I have often seen the consequences of workers not having paid sick days. Paid sick days allow rest and self-care that may help prevent a simple illness from progressing to a more disabling illness. In the workplace, not only are sick workers less productive, but they are also likely to spread illness to others. During flu outbreaks, the CDC recommends that sick employees remain home from work. Protecting co-workers should not be the financial responsibility of the employee. It is poor public health practice to deny paid sick leave to individuals who should not come in contact with others in the workplace, whether co-workers or members of the public.

Another important example that concerns me is in the case of intestinal illnesses. The Centers for Disease Control estimates that, each year, 128,000 people are hospitalized and 3,000 people die from foodborne diseases. Employees who handle food, whether as cooks, food handlers, or servers, should not be at work when they are sick with an intestinal illness. Because of a lack of paid sick days, many sick individuals have disregarded my counsel to remain home until they are well.

Paid sick days for preventive and episodic care may help to reduce health care costs by identifying conditions that may be treated before they worsen, and by limiting inappropriate use of emergency rooms for routine care. Paid sick days may also reduce lost-work days for employers by limiting illness exposure to co-workers. Paid sick days allow workers to get the treatment they need, and stop the spread of illness.

Please support healthier workplaces by passing SB 913. Thank you.

Dorothy Phillips, RN, APRN, MS, MPH  
Nurse Practitioner  
Willimantic

Testimony in support of Senate Bill 913:

An Act mandating employers Provide Paid Sick Leave to Their Employees

The Reverend Joshua Mason Pawelek

President, Greater Hartford Interfaith Coalition for Equity and Justice

Minister, Unitarian Universalist Society: East in Manchester

March 1, 2011

Labor Committee Members:

It is an honor to offer written testimony in support of Raised Senate Bill 913, AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES. I am the Rev. Josh Pawelek. I am a resident of Glastonbury. I serve as minister of the Unitarian Universalist Society: East in Manchester. I am serving in my second term as President of the Greater Hartford Interfaith Coalition for Equity and Justice.

If SB 913 were to become law, it would require employers with fifty or more employees to provide paid sick leave to certain employees for use for the employee's sickness, the employee's child's, parent's or spouse's sickness, or to deal with sexual assault or family violence issues. In my view this is good, humane, economically sound public policy. It is abundantly clear to me that in the absence of paid sick leave benefits, all parties suffer, especially low income workers and the companies who employ them. While I arrive at this view based on a moral conviction that we as a society ought to treat workers with the utmost dignity and respect, my position is also based on 1) my experience providing pastoral support to parishioners who do not have paid sick leave benefit; 2) my experience supervising workers in three small non-profit organizations where paid sick leave benefits have been very generous; and 3) my research into this issue.

Clearly, low income workers who do not wish to lose income yet who are sick or who have a sick family member are forced to make difficult choices. Either they elect to come to work sick, send their children to school sick, and avoid seeking necessary medical care, or they forgo their paycheck for the period of the illness and face the various stresses associated with increased financial vulnerability, including the possibility of losing their employment altogether.

Employers whose workers are coming to work sick must contend with the public health crisis this generates, along with decreased productivity, low employee morale, and higher workforce turnover rates. These dynamics are well-documented in a February 23<sup>rd</sup> report from Human Rights Watch entitled "Failing its Families: Lack of Paid Leave and Work-Family Supports in the US." While this report focuses primarily on the impact of pregnancy and childbirth on workers who do not have paid sick leave, its data are very clear: the presence of paid sick leave benefits contribute to overall employee productivity and company profitability. The report indicates that those states where paid sick leave laws exist, as well as European Union nations and member nations of the Organization for Economic Co-Operation and Development where paid sick leave laws are the norm, report overall positive or neutral impacts on a variety of success factors for businesses of all sizes.

Critics of SB 913 will appeal to the need to strengthen businesses in order to create good jobs in a tough economic climate. They will describe SB 913 as job-killing, anti-business legislation. Certainly paid sick leave benefits present an increased cost to Connecticut businesses; but far too often we forget the long-term economic benefits and allow ourselves to pit business and worker interests against each other. *Businesses will not thrive if workers cannot thrive.* I urge you to take this notion seriously. I urge you not to succumb to arguments that link a weak business climate to worker protections such as paid sick days. When workers feel secure, businesses succeed. When workers know their employers care about their health and well-being, business succeed. When workers feel their human dignity is respected, businesses succeed. When workers have the appropriate resources to keep themselves and their families healthy, businesses succeed. Please support SB 913. Thank you.

Dennis Pistone  
President, Westchester Book Group  
Danbury, CT

Testimony in SUPPORT of SB 913:

Senator Prague, Representative Zalaski, and members of the Labor and Public Employees Committee:

My company began in my dining room in 1974, and grew to become an international company, affiliated with other companies overseas as well as still employing over 50 individuals in our Danbury location. We have provided employment opportunities to thousands of individuals in Connecticut through the years, and have always offered paid sick days.

At our company, all full-time employees earn paid sick days, starting the first of the month following their date of hire. Part-time employees are entitled to pro-rated sick time.

An employee may accumulate up to six sick days. Once an employee has accumulated a "bank" of six sick days, he or she will receive well pay (one days pay for each unused sick day) for all days accumulated over the "bank" of six sick days -- at the end of the fiscal year.

I feel that both Well Days and Sick Days need to be built into the design of a company in order to make positions enticing in a competitive market as well as in order to ensure employee productivity. I have not seen any negative effect from offering paid sick days and have not experienced the added bookkeeping strain that others have expressed concerned over.

I urge you to pass SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees, so that all-eligible employees in Connecticut can have the benefits they deserve and earn.

Dennis Pistone  
Westchester Book Group  
4 Old Newtown Road  
Danbury, CT 06810

Testimony to the Labor Committee

March 1, 2011

Kyle LaVette, Berlin, CT

IN SUPPORT of SB 913

I support the paid sick days legislation.

There are many workers in Connecticut that do not receive paid sick days, and I am one of them. As a teacher who is paid hourly I do not get paid sick days. Without paid sick days I am unable to stay home when I am ill and still be able to pay my bills. This means I often end up going to work sick, risking spreading illness to students as well as fellow teachers. Providing paid sick days would allow me to stay home and get better, and keep my class room healthier.

Paid sick days also allow parents to stay home with sick children. No child should be forced to go school sick simply because their parent can't afford to stay home with them. Paid sick days would allow that child to stay home and get better. Paid sick days also keep those sick children out of school, preventing the spread of germs among classmates.

Providing paid sick days, doesn't cost an employer much, but would ensure that illnesses are not spread. By providing paid sick days employees would also be more motivated and more productive.

Please support the paid sick days legislation to ensure healthy schools for our children.

Kyle LaVette

65 Tree Hill Road

Berlin, CT 060637

10 February 2011

To whom it may concern:

Senate Bill #913 and the paid sick days that it would require businesses to require are beneficial not only to the individual worker, but the general public, as well. As a person who has worked in a couple of different minimum-wage jobs in food service and retail, I have personally experienced and witnessed the ~~problems and hardships~~ troubles that workers face without paid sick days. While working as a cashier at Kohl's Department Store, I had zero sick or vacation days. If one was ill and had to leave work early, he or she was demerited. If one was too ill to come into work, he or she was asked to find replacement. If unable to find replacement (or if the scheduled replacement ~~was~~ did not appear at work), one would be demerited. These demerits add up and could lead to the termination of a job. This bill would enable employees to earn sick days that they could use without fear of punishment. Not only does this encourage good health with the individual employee, but it benefits the health and safety of the general public.

When one considers the people who would most benefit from required sick days, the people that come to mind are the lower-class, minorities, women, young and old

people. These people often work ~~part~~ part-time and/or minimum-wage jobs that deal directly with the public (retail/public service/restaurants). All these people are ill and cannot afford to take a non-paid sick day (for whatever reason — that they cannot afford to miss the paid day or they may lose their job), they will go to work and expose the public to illness. This is how illness spreads and epidemics start. The paid sick day is a small price to pay compared to wide-spread illness. SB #913 is a wonderful way to protect the general public and the individual worker. I urge all Senators to work for the act's passage.

Thank you.

Austin Langendyke  
19 Ann St. Apt. 1  
Norwich, CT 06360.

Sarah Laureano of East Hartford, CT, Testimony IN SUPPORT of SB-913 for Paid Sick Days

March 1, 2011

Testimony for the Labor Committee on the Paid Sick Days Legislation:

I am in favor of SB 913. I have seen the negative effects on both people's physical health as well as the negative effects on people's financial health.

At Manchester Hospital where I work I frequently see people with illnesses that have escalated without the proper care. Often times a worker without paid sick days will force themselves to go to work sick, rather than staying home to recover or going to the doctor. Without the proper rest or treatment illnesses can become much more severe, even to the point that the worker ends up in the hospital. Allowing workers paid sick days would allow these illnesses to be treated early on keeping people out of the hospital.

At home I also see the negative effects of not having paid sick days. My husband does not get a single paid sick day. This means when he is sick and misses work my family takes a financial hit.

People should not be forced to choose between their health and their financial stability. By providing a few paid sick days each year workers will not be forced to make that choice. Please support the paid sick days legislation.

To whom it may concern:

It is very important that Senate Bill 913 get passed. I am a nursing major, and preventative care is the first thing that is emphasized in all of my classes. However, with the current lack of paid sick days, it is not possible for people to obtain the proper health care they need. It is not only important for people to take care of themselves, but they must take care of their family.

This bill is especially important for women, because they are the traditional core of the family environment. Because they are generally the most important caregiver they are responsible for the well-being of others, in addition to their own. As such, they are doubly affected by a lack of paid sick days. So we see that those who need leeway the most are the very ones who carry the brunt of this oversight. The problem becomes worse when one considers that unpaid sick leave usually goes hand in hand with low incomes.

I find this issue very worrisome, especially as a nursing student who plans to dedicate her life to the well-being of others, and I believe it is the responsibility of this committee to pass this bill.

Sincerely,  
Kelsie Lappen

Testimony IN SUPPORT of SB 913 for Paid Sick Days

I support paid sick days for many reasons.

Most people get sick sometimes and they should not be punished financially when that happens. They should not come to work sick and expose others. This is common sense.

This issue is important to me because I am a school counselor in a public school system and often work with parents who are forced to send their sick children to school because they are unable to stay home with their children. This impacts the school learning environment and well-being of our school. Parents should be parents and in many cases want to be parents, but in tough times missing work/ staying home means one or more days of no pay and this significantly impacts the survival (week to week) of many of our Connecticut families.

In addition, implementing a paid sick day program in which employees earn one hour of sick time for every 40 hours of work provides hard working people an incentive to consistently work. Often the companies that do not have paid sick leave also have the highest percentage of transient workers/ employee. Why wouldn't a company want to increase the quality of their workers by providing them with incentives, such as paid sick days? Everyone complains about the quality of their work, but what do they have to work for? Making your employees happy and rewarding them reasonably inspires them to work hard and consistently. This transpires to setting good examples for their families and children; the future of our workplace.

To conclude, I ask that you support the paid sick days bill this year.

Sincerely,

Kate Kearney

50 Dogwood Lane

Bristol, CT 06010

Testimony from Elizabeth Maloney  
In SUPPORT of Paid Sick Days - SB 913

Dear Senator Prague, Representative Zalaski and members of the Labor Committee,

Thank you for allowing me the opportunity to share my story.

I work in food service, as a waitress at a large chain restaurant in Enfield, Connecticut. I've been working there for 19 years.

The official store policy is that if you get sick, you call out and don't go to work. But we don't get paid when we stay home to recover, so in reality, it doesn't quite work that way. Waiters and waitresses aren't exactly millionaires. It's tough enough to make ends meet with a full week's pay check, especially in times like these. It's no surprise that when my coworkers get sick, more often than not, they come in to work all the same.

One coworker recently came to work with a "24 hour stomach bug" instead of staying home. Before long, I myself had caught the bug, as had several other employees -- with symptoms including vomiting and diarrhea. The illness was an extremely unpleasant one. Not a pretty picture. But the truth is, most of my coworkers returned to work before they should have.

If some of the workers got sick, there's no doubt this illness could have been spread to customers as well. But without paid sick days, employees just simply don't have the ability to stay home from work. Think about that next time you go out to eat. From fast food to fine dining, this is the truth in most restaurants across Connecticut.

Most employees are afraid to speak up about this policy because they fear losing their jobs. I'm testifying to speak up for all of my coworkers who've had to come in to work sick, and for the thousands of restaurant-goers who've unfairly gotten sick from a worker who couldn't stay home to recover.

Do the right thing for our health and for your health. Please pass paid sick days legislation right away.

Thank you.

March 1, 2011

My name is Jennifer Piallat and I am the owner of Zazie, a French bistro in San Francisco. Having lived with and flourished under San Francisco's paid sick leave ordinance for four years, I am a strong proponent of paid sick days standards. That's why I support S.B. 913, which would allow employees in Connecticut to accrue and use paid sick leave.

Paid sick days are one of the many ways I support the health and well being of my employees. I also offer health insurance for every employee who has worked for me for over three months, a 401K with a 4% match, and paid family leave.

Before San Francisco passed a paid sick days law, I did not offer paid sick days to my employees because I was concerned about employee abuse. When I initially calculated the potential cost, it was under the assumption that every employee would take all of the days they had earned. When I began offering paid sick days in compliance with the law, I was pleasantly surprised. My employees have used paid sick days responsibly and have not taken advantage of them; they have used the time only when they have an actual medical need, which is much less than the total amount of time that they accrue.

Zazie is actually more profitable because of the investment I make in my employees. When all is said and done, I end up saving in labor costs due to the lack of turnover and training costs and my workers are more productive. Because of our exceptional benefits program, the average tenure of my staff is over five years, which is remarkable in this largely transitory business. My staff is skilled and efficient, thereby reducing the number of staff members I need to work each shift, which reduces payroll expense. My workforce is healthier overall because workers no longer work while sick and infect other workers, which was a drain on my business and even forced us to close on occasion. With the paid sick leave ordinance in place, workers feel more comfortable staying home when sick.

As a business owner who had trepidation about offering paid sick days at first, I can tell you that my concerns did not come to pass. Paid sick days have helped my workforce be healthy and productive and have helped my bottom line. A paid sick days law is an important way that government policy can support the health and well being of both workers and businesses.

Thank you,



Jennifer Piallat, owner, Zazie Restaurant

[www.zaziesf.com](http://www.zaziesf.com)

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Testimony for Taulant Proko  
Labor and Public Employee Committee on the topic of SB913 paid sick days

Thank you for the opportunity to speak on this topic. I am glad to share my experiences regarding paid sick days. I hope this will help to expand the debate.

I am in favor of any measure that would make paid sick time mandatory for businesses. The impact on my family due to a lack of paid sick time has been damaging. I worked the past three and a half years at a factory with no paid sick time. If an employee at the factory gets sick they still have to show up to work. Management expects it. I have a wife and child so it would be an obstacle to lose a days pay when I was sick as well. I have personally shown up to work sick with a bad fever. I have gone in with the flu. There was even a time when I needed dental care because of bad tooth pain but instead of being able to get the care I needed I was stuck at work. I could not take the time off.

My father has worked at the same factory for seven years. He has had similar experiences to those listed above. There was a time that he was so sick he lost his voice and still had to show up for his shift. At sixty-seven my father should not be required to work when he's so ill, especially when he gets so sick that he loses his voice.

There are many more stories like this at the factory since no one receives paid sick time. Because no one can stay home, sickness spreads throughout the factory as soon as one person comes in ill. I could tell that I would be sick soon because it would be "going around."

Management at the factory does not care about the state of an employee's health. Their only concern is filling all the shifts at the factory. It is hard to work for an employer who cares so little about its employees but when you have a family and bills you have to work. Not only is the situation disheartening, it is also dangerous. In a factory setting there is enough that can go wrong without having to worry about a sick employee making a mistake because they are drowsy with a fever. He has had many accidents where he stapled his fingers because he was so fatigued and couldn't concentrate on the staple gun.

I have found a new job but my father still works there. I worry for him. I think it is unjust to work in those conditions. I know a lot of people that don't get paid for sick days, especially people that just moved to USA and don't know anything about what they should expect. So I take this opportunity to speak out even for those who can't speak for themselves (like my father), because of language barriers. I'm sure the ones that have the privilege of paid sick days, don't think about the ones that don't have it. I believe it is essential for the sake of our health that something needs to be changed, and it will not start from the factory, I can tell you that much.

Sincerely,  
Taulant Proko  
Rocky Hill

Larry Deutsch, MD, MPH

Testimony in support of SB. 913 - AA MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES

Thank you to the members of the Labor and Public Employees Committee for the opportunity to present testimony from the perspective of a public health professional and pediatrician.

Paid sick days are essential for the health of working parents and their children. Yes: paid sick days are essential for health -- of individuals, their co-workers, and their families.

Children – and, for that matter, older family adults who may be dependent on the working person now in the middle - are denied care without paid sick days to take care of medical needs. The parent of a child – or the working child of an elderly parent – who has no paid sick days cannot miss work help with wellness or urgent primary care for themselves or their dependents. There develop worse health outcomes and greater costs throughout the healthcare system generally.

When an employee lack paid sick days, their families unfairly suffer for it. This could be lack of regular care with vaccinations and so on up to timely and necessary visits related to illness, recovery, and return to work. Especially for those families with lower income and chronic health needs, preventive and timely urgent care is essential for all -- young, working, or old.

Paid sick days are vital for parents to get their children to the appointments and treatment they need. According to the American Academy of Pediatrics, over a quarter of parents of children with asthma have missed at least one child's medical appointments because they could not get time off work.

Let's remember also: lack of paid sick days for employees also raises the transmission of illnesses like flu that can easily be transmitted to co-workers, you, me, and anyone in public places like restaurants and offices and schools and factories and stores and banks and busses.

In conclusion, when employees are not guaranteed a number of paid sick days, they themselves, their families with young or old, and the general public health all suffer. In the end, its more expensive and inefficient – and this is recognized by many businesses large and small, doctors, medical societies – as well as many city, state, and federal governments

I stand in strong support of finally passing SB 913.

Thank you.

Dr. Larry Deutsch  
35 Torwood Street  
Hartford CT 06114

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**Connecticut Employer Lawyers Association  
Connecticut Advocates for Employee Rights**

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2010-2011 Executive Board:

March 1, 2011

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Good afternoon Senators Prague and Guglielmo, Representatives Zalaski and Rigby and members of the committee.

My name is Deborah McKenna. I am an attorney at Emmett & Glander in Stamford CT and I practice in the area of plaintiff's side employment law. I am testifying today on behalf of the Connecticut Employment Lawyer's Association (known as CELA) in support of **Raised Bill No. 913, "An Act Mandating Employers Provide Paid Sick Leave to Employees."**

CELA is a voluntary membership organization whose members are attorneys from throughout Connecticut who devote at least 51% or more of their employment related practice to representing employees. As such, CELA attorneys represent individual employees in all types of employment related matters including, but not limited to, discrimination, wrongful termination, and claims involving state and federal FMLA and related leave of absence issues.

Some committee members may wonder if **Raise Bill 913** is necessary given that we have laws such as the federal and state disability discrimination law, that provide protection against discrimination by employer of employee who suffers from various protected disabilities and laws such as the federal and state Family and Medical Leave Acts (FMLA), which require that some employers provide job protected leave to certain employees. However **Raise Bill 913** would provide important and necessary protections for Connecticut's workers.

Unfortunately for employees who utilize leave under the state or federal FMLA, none of our existing statutes require that the leave be paid, making such leave an unaffordable luxury for many workers. Moreover, in order to even qualify for existing job protections, an employee who seeks protection from disability discrimination must suffer from a disability as defined by statute and an employee who can afford to utilize protected FMLA leave must have a serious medical condition as set out in the law. Typically, a short term illness does not qualify an employee for such protections. For employees with small children, this is particularly problematic. For example, a school-age child is likely to suffer from run of the mill illnesses, such as strep throat over the course of a school year – as many of the parents here today could probably attest to. If you happen to be the parent of a child who does contract strep throat, you are probably aware that most school districts will not allow that child in school until he or she has been on antibiotics for a set period of time. However, this is not an illness that typically rises to the level of being protected under our state or federal FMLA, as a disability or under any of our other existing employment laws.

For working parents, this creates a very real dilemma, particularly if the parents do not have access to back up child care. In a workplace that does not provide for paid sick leave, that worker could then be faced with not only having to lose his or her wages for the time out of work to care for their sick child, but could even be fired for his or her absence. While it may seem implausible that a worker could be fired simply for having to care for his or her sick child, unfortunately it happens all too often. Having spent the past 15 years representing employees with employment issues, I have had the unfortunate experience, on more than one occasion, of explaining to an employee who has lost his or her job under such circumstances, that he or she

has no remedy. There is simply no law that protects an employee's job in the event that he or she needs to miss work because the employee or someone in his or her family is sick or in need of medical care, when the nature of that illness was not so severe as to rise to the level of a serious health condition or disability. It is hard to believe that in 2011, we as a state do not require such basic protections as protecting an employee's job in the event of an employee or employee's family member's routine sickness. If passed, Raised Bill 913 would provide much needed protection for workers who find themselves in this unfortunate and all too common position.

Additionally, last year CELA proudly supported the expanded employment protections for victims of domestic violence. Raised Bill 913 takes those protections one step further by permitting paid sick leave to be used for time off for victims of family violence or sexual assault who may need to obtain victim services, relocate or participate in civil or criminal proceedings. As we argued last year – for victims of family violence, employment is often a lifeline. While the leave protections in last year's law are a good start, to permit victims to actually take time of out of work to protect themselves and their families, be it through attending court proceedings, seeking victim services or relocating and not have to choose between their paycheck and their safety will enhance that law and permit more employees to utilize those protections.

We strongly urge you to pass Raised Bill 913 in its entirety. Thank you for your time and consideration.

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**Testimony of Gretchen Raffa, Manager Public Affairs & Community Organizing  
 Planned Parenthood of Southern New England  
 In Support of SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees  
 March 1, 2011**

Good Afternoon, Senator Prague, Representative Zalaski, and members of the Labor and Public Employees Committee; My name is Gretchen Raffa, from Planned Parenthood of Southern New England testifying in support of SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees.

Our agency serves over 70,000 patients yearly for reproductive and sexual health services. As health care providers we understand the importance of women having routine preventive health care exams such as screenings for cervical and breast cancer, pap smears and other reproductive health care needs including prenatal care. These routine exams often require women to take time off from their job more and spend 68% more out of pocket on health care costs than men in part because of their reproductive health care needs.

We at Planned Parenthood believe that all women have the right to control their own fertility and have the right to a healthy pregnancy and bear healthy babies. Prenatal care is critical for a healthy pregnancy and the development of a healthy child. Babies of mothers who do not get prenatal care are three times more likely to have a low birth weight and five times more likely to die than those born to mothers who do get care.<sup>1</sup>

What we know is the burden of inadequate paid sick days falls heaviest on women who are more likely to be the primary care givers to their sick children and other family members. Half of working mothers miss work when their child gets sick. And of these mothers, half do not get paid when they take this time off. Among low-income working mothers, two in three report losing pay.<sup>2</sup> Women who need paid sick days the most are those most likely not to have them therefore having to make the difficult decision of losing wages to care for themselves or their family. No woman should have to risk her economic wellbeing or her health, yet a woman is often forced to decide between her health and the health of her child or her paycheck.

As advocates for reproductive justice we must consider all aspects of a woman's life including those that may affect her economic stability. We support paid sick day policy which promotes women coming to work healthy, having the chance to care for sick children and family members at home, receiving preventive health care services while having the income security to support her decisions. In addition, Planned Parenthood of Southern New England has a paid sick day policy offering 12 sick days annually on an accrual basis for our 250 employees because we understand the health and financial benefits that come with such a policy for both our employees and the patients we serve in our 18 health centers across the state.

We urge you to support SB 913, to protect the basic rights of Connecticut workers by guaranteeing paid sick days and promoting the health and economic security of all CT citizens. Thank you.

<sup>1</sup> U.S. Department of Health and Human Services, Women's Health, Prenatal Care  
<http://womenshealth.gov/faq/prenatal-care.cfm>

<sup>2</sup> Kaiser Family Foundation, "Women, Work and Family Health: A Balancing Act," Issue Brief, April 2003.

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February 28, 2011,

Testimony in support of S.B. 913:

My name is Keith Gervase and I am here to show my support for senate bill 913.

I have worked in the service industry in the city of Hartford for over ten years and never once have I had a paid sick day. Not even as a manager in more recent years. Neither have any of my co-workers or friends in the industry that I know of.

As most industry employees will agree, if you factor in the fact that you don't have a 401k, or employer paid health insurance, you really don't make a lot of money for the time you put in. Simply put, one day's pay is something the average employee can't go without.

People working in this industry not only go without paid sick days, in most cases they go without sick days all together. There always has to be someone to cover your shift if you can't make it. If you can't find coverage, you have to be there. It kind of became part of my 'work ethic' so to say. It wasn't until I broke my collar bone and literally COULD NOT be at work that the reality of not having paid sick days sank in. At the time, I was a bartender at a fast paced restaurant and worked with my hands. I had to return to work after only two weeks because I simply could not afford to be without another days pay. Working was pretty painful for the next couple of weeks.

It is not uncommon for employees of bars and restaurants to come in sick. I've had to do it many times over the course of the past ten years. It is absolutely alarming to see how fast a cold or a flu can work its way through the staff of a restaurant. We work in an industry where we interact directly with hundreds of customers in a day. Thinking about how fast a flu spreads among a staff, it's hard to ignore the fact that customers more than likely become infected themselves due to the unsanitary conditions.

Last year, I found myself at work while I had swine flu. Although I didn't even find out I had H1N1 until the worst of it was over, I still felt guilty for being at work. But in my case, without health insurance I couldn't afford to miss a day at work AND see a doctor as well (almost 300\$ for the visit, and the blood work). I may not be the most financially responsible person, but I think that this is the reality for the majority of people working in food service.

I support the paid sick day legislation for what I see as obvious reasons. Thank you.

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Testimony from Laurel Baldwin-Ragaven, MD  
IN SUPPORT of SB 913

Thank you to Senator Prague, Representative Zalaski and the members of the Labor Committee for the opportunity to share my perspective on the issue of paid sick days legislation.

I am writing in strong support of the above bill. As a family physician who has worked in primary health care in different countries around the world for the past 25 years, including Canada, England, South Africa, and the United States (in Hartford since 2004), I understand how universally difficult it is for people to decide to take time off work when they are sick.

Aside from the very personal nature of these decisions, I would like to draw the legislature's attention to the public health implications of sick people's choices that affect all of us.

**Going to work sick does not make public health or economic sense.** Productivity goes down when people are unwell; and, if contagious, the risk to fellow employees, employers, and even clients is significant. In a recent study of restaurant workers, 80% of whom do not enjoy paid sick leave, 12% (or 1 out of 8) reported going to work while they were experiencing symptoms of diarrhea and vomiting at least twice in the past year. Interestingly, the pattern was the same for all restaurant employees regardless of restaurant type, whether fast-food or fine dining, thus potentially exposing everyone to the viruses and bacteria that cause gastroenteritis through contact with food, plates, cutlery and skin.

We all remember the Hepatitis A contamination of green onions that left hundreds of people deathly ill and Chi-chi's in bankruptcy court as well as the country's stock of spinach contaminated by E. Coli, both of which were presumed to be caused by infected farm workers who were involved in the planting and harvesting of these foods, and who clearly came to work while sick.

Imagine another infectious disease scenario: many scholars are predicting a resurgence of pandemic flu, like the 1918 Spanish Flu, which killed millions globally.

The H1N1 pandemic of 2009 demonstrates more clearly than ever the urgent need to encourage people to stay at home when they are sick. While we should all be grateful that the H1N1 outbreak wasn't worse, we shouldn't downplay its significance; after all, dozens in Connecticut died from the illness.

Evidence suggests that 8 million Americans came to work while infected with H1N1 – and that employees without paid sick days were much more likely to come to work while sick. An estimated 7 million employees in America caught the H1N1 virus from a sick coworker. While broader access to paid sick days would not completely eliminate the practice of going to work sick, it would substantially reduce its frequency.

**The precarious economic environment is driving people to go to work sick.** In this recession, low-wage workers are hit particularly hard. Now more than ever, we need a 'safety net' to protect sick employees and the public's health. When people are at risk of losing employment,

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**Paid Sick Leave  
Testimony of Michael V. Brown  
President, New Standard Institute, Inc.  
Submitted to the Labor and Public Employees Committee  
of the Connecticut General Assembly regarding  
S.B. 913, An Act Mandating Employers Provide Paid Sick Leave to Employees**

Senator Prague, Representative Zalaski, Senator Gomes, Representative Santiago, and members of the Labor and Public Employees Committee:

Thank you for the opportunity to address your committee with testimony regarding my experience as both the owner of a business in the State of Connecticut and as a Management Consultant to the Manufacturing Industry worldwide.

My background is as follows: I have been a consulting engineer for approximately 30 years, 21 of them as the President and CEO of New Standard Institute, based in Milford.

I submitted testimony last year, attached to the printed version of today's statement, in which I made three observations as a Management Consultant and business owner:

1. Sick people at work make other people sick.
2. Sick people are low productivity employees.
3. Sick people are prone to accidents.

I would like to amend my previous testimony with my opinion. As a management consultant I have observed an environment conducive for work is the best environment. As such:

1. I personally do not want to work in an environment where people feel compelled to come to work sick. I'm sure my associates in the office feel the same way.
2. Companies who provide paid leave to their employees are preferred employers in the market place for quality talent. We provide paid leave and our employees are top-notch.
3. More and more, a family friendly company is a preferred company by young technical applicants.

Please enact this law. Connecticut needs it to compete for high tech workers. This simple benefit will take us a long way.

Michael V. Brown  
President  
New Standard Institute, Inc.  
84 Broad Street  
Milford, CT 06460

Testimony from 2010 (SB-63)

SB913

My name is Michael V. Brown. I am the President of New Standard Institute, a training and consulting firm based in Milford, now celebrating our 20<sup>th</sup> year in business.

Part of our work can be categorized as Management Consulting. We work with companies of all sizes and are in and out of their facilities. For that reason, and with our own small firm, we have learned a few things about the workforce.

1. Sick people at work make other people sick  
This can cause illness to spread into a tsunami of absenteeism. It can take any company to a grinding halt within only two days.
2. Sick people are low productivity employees  
The lethargy that goes with small infections and colds, combined with a lack of focus, means that a person's high productivity is inevitably compromised when ill.
3. Sick people can have accidents.  
A person with minor symptoms like a fever or blurred vision can easily have an accident in the workplace. I know there is discussion about food service people working while ill, but they are also at increased risk of cutting themselves or falling while on the job. We work with Manufacturing facilities and this can become life-threatening when working with heavy equipment.

It is vitally important that people be permitted, without retribution, to voluntarily remove themselves from the workplace when ill or distracted.

I urge the Legislators here to stand up for safety and productivity at Connecticut's businesses.

Michael V. Brown  
President  
New Standard Institute, Inc.  
84 Broad Street  
Milford, CT 06460

March 1, 2011

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CONNECTICUT  
STATE COUNCIL

SERVICE EMPLOYEES  
INTERNATIONAL UNION  
CTW, CLC

**SB 913 AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES**

Testimony of Stacey Zimmerman on behalf of SEIU – CT State Council

Co-Chairs Zalaski and Prague and members of the committee thank you for the opportunity to testify in support of **SB 913 AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES**. The Service Employees International Union Connecticut State Council represents over 55,000 active and retired members in Connecticut. SEIU is the states largest union with both public and private sector members.

In a poll taken as recently as 2009, by **BANNON COMMUNICATIONS RESEARCH** Eighty eight (89%) percent of the likely voters in the state favor paid sick leave legislation and only seven (7%) percent of the voters oppose the bill. This by the very nature of politics suggests that passing the bill is a no brainer. Popularity notwithstanding there are a remarkable amount of public policy reasons to pass such a piece of legislation.

I will only cover a few of such reasons as you are sure to hear many more of them throughout the coarse of today's hearing.

- 40% of Workers in CT Have No Paid Sick Time. (Vicky Lovell, *Everyone Gets Sick, Not Everyone has Time to Get Better*, April 2008.)
- 78% of Food Service Workers Have No Paid Sick Time. (Vicky Lovell, *Everyone Gets Sick, Not Everyone has Time to Get Better*, April 2008.)
- 77% of Low Wage Earners Lack Paid Sick Days. (Vicky Lovell, *No Time to be Sick: Why Everyone Suffers when Workers Don't Have Paid Sick Leave*, May 2004)

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You will hear a litany of reasons why this is bad for business from a few organizations, all saying this is too expensive to implement, that no other state does this and most businesses all ready offer sick time. All of this is a cover for the fact that they are just ideologically opposed to any and all regulation.

It is the same arguments we have heard throughout history if we listen close enough. This same rhetoric have would have no child labor laws, no 40 hour work week, no workers compensation and no anti-discrimination laws. We live in a community and we as members of it can choose to make it better or to always maintain the status quo.

Connecticut can be a leader in public health and worker safety. We can pass a bill that will be seen as a landmark in true public policy that betters society. This is a bill that saves money down the road and possibly saves lives in the process. SEIU urges adoption.

**Testimony of Kia F. Murrell  
Assistant Counsel, CBIA  
Before the Committee on Labor and Public Employees  
Hartford, CT  
March 1, 2011**

**SB-913 AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK  
LEAVE TO EMPLOYEES**

Good Afternoon Senator Prague, Representative Zalaski and other members of the Committee. My name is Kia Murrell of the Connecticut Business and Industry Association (CBIA). CBIA represents more than 10,000 companies throughout the state of Connecticut, ranging from large corporations to small businesses, but the vast majority of our members are small businesses of fifty or fewer employees that are struggling to survive and compete in today's tough economy.

We strongly oppose S.B. 913 as one of the most costly and unnecessary labor/employment proposals introduced in the General Assembly in recent years. This legislation is far too costly for Connecticut businesses in light of the damage it will do to job growth, job creation, business viability and economic development in our state during what is clearly the most difficult economic period our nation has endured since the Great Depression. Simply put, our state cannot afford to impose costly new mandates on Connecticut businesses, as they are the backbone of our economy and vital to economic recovery.

We believe that S.B. 913 is inappropriate and ill-timed for the following reasons:

- Creating jobs should be Connecticut's top priority and legislators are obligated to do whatever it takes to help accomplish that goal.

- Imposing costly new mandates makes it difficult for businesses to grow and create jobs, especially during a tough economy.
- We want workers to be as healthy as possible but we also recognize that if businesses aren't healthy, surviving and thriving with reasonably controlled labor costs—jobs will continue to be lost and our economic recovery will be hindered.
- **S.B. 913** will increase labor costs for many employers, and the ultimate price of that may be shouldered by employees themselves. Employees in Connecticut should not have to pay for the actions of the legislature in terms of lower wages, benefits or even the risk of their job due to costly new mandates imposed on their employers.
- **S.B. 913** is a one-size-fits-all proposal that disregards the fact that Connecticut businesses are consistently recognized as among the best employers in the U.S. They provide some of the nation's best wage and benefits packages and work hard to keep their employees happy. Based on that, there is no need to legislate and mandate what employers are already doing on their own.
- It makes no sense to mandate paid sick leave in Connecticut when no other state does. Even New York City recently abandoned its plans to enact a paid sick leave mandate after finding that it would increase employers' costs by \$789 million.
- Other states recognize the damaging impact of being the first to mandate paid sick leave. Why don't we? Unique and costly labor mandates make Connecticut business less competitive and this negatively impacts our ability to attract and retain businesses. There is no reason or reward for being first in this issue, especially when doing so would weaken our economy.

**S.B. 913** requires Connecticut employers of 50 or more hourly and non-exempt workers to give a minimum of one hour paid time off for

every 40 hours an employee works. Although the details of the legislation change from year to year, the basic premise remains constant--to require Connecticut employers to provide their employees with a minimum amount of paid time off for illness or the care of a family relative.

In 2010, Connecticut saw net job growth of only 5,300 jobs. Various state and national surveys indicate that business confidence regarding the economy, availability of credit, production, sales, and job growth is very low. What's more, international turmoil has spiked oil prices; health care premiums are on the rise and beyond the reach of many employers; unemployment benefit indebtedness for Connecticut employers will amount to nearly \$1 billion in the near future and the state's fiscal crisis means the likelihood of even more tax increases. Employers are facing all of these costs before any new mandates that would further increase the cost of hiring and doing business in the state.

The reality is, Connecticut is experiencing one of the worst economic downturns since the Great Depression. We have lost over 100,000 jobs and more than 13,000 businesses have closed their doors since the recession began. Even before the recession, Connecticut was considered one of the least-friendly states for business because of high costs, a stringent regulatory environment and other factors. Economists predict that Connecticut will continue to lose even more jobs before our economic recovery begins.

Time after time, Connecticut residents have said they are most worried about their jobs and the economy. CBLA's latest statewide membership survey showed that many businesses have lost confidence in Connecticut. Too many of them say that if they were to expand or relocate, they would not do it here. Yet this Committee insists on proposing costly mandates such as S.B. 913 that will do nothing to increase people's confidence in the stability of their jobs, nor improve employers' prospects for creating more jobs in Connecticut.

Connecticut employers are consistently recognized as among the best in the United States. They provide their employees with some of the most generous wage and benefits packages and work hard to hold onto their employees in whom they have invested greatly.

Employee absences are not isolated incidents. When an employee is absent, someone else has to fill the job or provide the services--and that comes with a price in terms of time, money and management. If an employer cannot find or afford to bring in someone else to fill the absence, other employees' workloads increase, productivity is lost and customers suffer.

Connecticut employers need the flexibility to design and implement workplace policies that balance the needs of their employees and meet the demands of their businesses. It makes no sense for state government to force a one-size-fits all policy such as S.B. 913 on all employers that takes away their managerial flexibility and administrative discretion.

What is the real price of the paid sick leave mandate? Ironically, employees themselves will likely bear the cost. Faced with the new cost of mandatory paid sick leave, employers will have to adjust elsewhere, potentially by reducing wages and other employee benefits.

Mandatory paid sick leave won't help Connecticut's economy grow or enable employers to create jobs. It will, however, push many businesses closer to the edge of survival. Instead, we need policies that encourage economic stability and development, and job growth. We urge you to reject S.B. 913 as too costly for Connecticut.

Thank you.

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Testimony IN SUPPORT of SB-913 for Paid Sick Days

Natalie Cullen, Rocky Hill, CT

March 1, 2011

Testimony for the Labor Committee on the Paid Sick Days Legislation:

I am in support of the paid sick days legislation. It is important that you support this bill that will allow hard-working Connecticut employees paid sick days. I have worked many jobs, mostly in the food service industry without a single paid sick day. Most recently I worked as a supervisor for three years at the Uniquely Caffeinated Cafes.

My job required me to constantly interact with people as well as prepare food. Coming to work sick could have resulted in my spreading illness to customers. However employees had no opportunity to earn paid sick days.

Without paid sick days, being sick even just one day meant losing a big part of my paycheck. I needed all of my paycheck in order to be able to pay my bills. Losing a day or two of pay would make it very hard to make ends meet. I was a college student, working 30 plus hours a week during school, and full time during school breaks. My paycheck was not only vital to me being able to pay my bills and keep food on the table, but also being able to continue my education. I needed to work in order to pay tuition and attain my degree.

To make things even worse we were strongly discouraged from calling out sick, even without pay. The managers often threatened to write up or fire workers if they called out. I was told on more than one occasion that I would be fired if I did not come in, even though I was sick. So not only did I need to worry about paying my bills, but also potentially losing my job.

With little other option I often went to work sick. I remember going to work last year with the flu. I had a high fever and was contagious, but couldn't risk losing my pay or my job. I worked closely with several other people, as well as customers and customer's food. Other co-workers came to work sick too often with contagious illnesses like strep throat or even the swine flu. Illness was easily spread from one sick employee like me, to my co-workers and customers.

Furthermore, as a supervisor I understand that when employees came in sick they were not able to work their hardest. Working with sick co-workers not only put your health at risk, but it also made your shift harder. Sick employees worked slower and were not able to keep up during busy rushes. If a sick employee had been able to stay home and recover for a day or two, they would have been able to recover faster and get back to working at their full ability faster.

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We all would have benefited if sick employees could have just stayed home. No one should go to work sick, especially not when they are handling people's food. Please support the paid sick days bill so people can stay home and not spread illness.

Natalie Cullen

51 Robbins Lane Apt B

Rocky Hill, CT 06067



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National Association of Social Workers / Connecticut Chapter

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**Public Hearing – Labor & Public Employees Committee**  
**SB 913 An Act Mandating Employers Provide Paid Sick Leave to Employees**  
**March 1, 2011**

Good afternoon. My name is Marcia Bok and I am testifying today on behalf of the Ct. Chapter of the National Association of Social Workers in favor of paid sick leave. This has been an ongoing struggle, but with the Governor and legislative support, and accumulating evidence about how important this legislation is, I am hopeful we can seal the deal in this legislative session. I know that the big argument against paid sick leave is that it is an additional burden on businesses who cannot afford additional expenses. But there is evidence that this legislation enhances, rather than depletes, resources.

According to the Institute for Women's Policy Research, 44 million workers lacked paid sick days in 2010; only 58 percent of private sector employees in the U.S. had access to paid sick leave; 77 percent of food service workers lacked access to paid sick leave. This report notes that although hypothetically eligible, many workers do not have access to these benefits due to job tenure issues. On average, workers had to wait about 3.5 months to access paid sick leave. Fewer than one-quarter of food preparation and serving workers can use paid sick days. Epidemiological data indicate the strong relationship between food handlers and food-borne and other contagious illnesses. If employees come to work sick, this is clearly a financial burden on employers.

The Institute for Women's Policy Research notes that San Francisco enacted a Paid Sick Leave Ordinance in 2007. Under the PSLO, any part-time or full-time employee who works in San Francisco – even for a company that is based elsewhere – earns one hour of paid sick time for every 30 hours worked. A survey of employers found that two-thirds supported the law. Only one in seven employers reported adverse effects on profitability. Workers generally did not abuse the policy and employers did not need to use sanctions to control abuse. Among employers with fewer than 10 employees, one-third had not implemented the policy. Nearly all firms with 10 or more workers offered paid sick days at the time of the survey.

There are two additional brief points I would like to make. Most full-time salaried employees have paid sick leave. Even part-time salaried employees generally have these benefits. It is the hourly worker who is hardest hit – and this includes many low-income women. We know that part-time work is increasing, although most low-income women would prefer to work full-time if they could because they cannot afford to work part-time. We also know how expensive and difficult it is for low-income mothers to access quality and affordable child care – particularly on short notice. When poor women need to take time off from work to care for a sick child, she not only loses her pay, she may also lose her job.

We need to work very hard not to discriminate against low-income workers, particularly women with children. We often make assumptions about this population that are simply not true. If we trust that salaried workers will not abuse the system, this trust should definitely be extended to poor women who are eager to work to support their families. I thank you for your attention to this important matter.

**Employment  
Policies**  
INSTITUTE

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PIA/L7

March 1<sup>st</sup>, 2011

**Testimony of Michael P. Saltsman, Employment Policies Institute  
Before the Committee on Labor & Public Employees**

**S.B. 913 – An Act Mandating Employers Provide Paid Sick Leave to Employees**

Senator Prague, Representative Zalaski, and members of the Committee:

Thank you for the opportunity to submit testimony today. My name is Michael Saltsman, and I am a research fellow at the Employment Policies Institute, a nonprofit research organization based in Washington, D.C. Previously, I worked as a field economist for the Bureau of Labor Statistics and for the Democratic Policy Office at the Michigan House of Representatives. I'm speaking today about the consequences of Senate Bill 913, the proposed paid sick leave mandate here in Connecticut.

We're told that business owners, their employees, and the public at large will benefit dramatically from a sick leave mandate—the classic “free lunch.” But as the saying goes, a free lunch is never really free. Claims made by this bill's advocates, and the research cited in support, don't stand up to closer scrutiny:

- Research from groups like the Institute for Women's Policy Research wildly overstates the benefits of this mandate
- Evidence from San Francisco suggests that vulnerable employees and their employers were adversely impacted by the city's sick leave mandate
- The businesses in Connecticut that don't already offer paid leave are in industries most likely to be hurt by a mandate like this

**MISLEADING RESEARCH: \$72 Million in Projected Employer Savings is a Statistical Charade**

The Institute for Women's Policy Research claims that a paid sick leave mandate will save Connecticut employers \$72 million every year, due to factors like decreased employee turnover and reduced flu spread in the workplace.<sup>1</sup>

For instance, the Institute assumes a 5 percentage point reduction in job turnover following a paid sick leave mandate. But the evidence isn't on their side: A survey conducted of San Francisco employers by

<sup>1</sup> See “Valuing Good Health in Connecticut: The Costs and Benefits of Paid Sick Days ” Available online at: <http://www.iwpr.org/publications/pubs/valuing-good-health-in-connecticut-the-costs-and-benefits-of-paid-sick-days>

The Urban Institute found that very few reported employee turnover decreasing following the passage of the sick leave mandate.<sup>2</sup>

What about the claim that fewer employees will come to work sick? Buried in a table in the back of a survey released in February 2011 by the Institute of Women's Policy Research is this shocking statistic: more than eight out of 10 employers in San Francisco said that the paid sick leave ordinance had *no effect* on the number of employees who came to work sick.<sup>3</sup> Only a small fraction (about 3 percent) noted an improvement.

Taken together, this means that the millions of dollars in employer savings projected by the Institute are no more than a statistical charade not backed by real-world experience.

**UNINTENDED CONSEQUENCES: *Evidence Shows that Increased Labor Costs Force Difficult Decisions in Certain Industries***

If the benefits trumpeted by the proponents of this legislation are either exaggerated or non-existent, what about the consequences?

Three surveys of employers in cities where a sick leave mandate was either enacted or considered have confirmed that certain industries with less experienced employees are negatively impacted by such a mandate.<sup>4</sup>

In San Francisco, close to 30 percent of employees in the bottom fifth of earners reported layoffs or reduced hours at their place of work after passage of the paid sick leave mandate. The Urban Institute study noted that profit margins were already tight at mid-size businesses in the city, and that the sick leave mandate forced cost reductions in other areas; several companies also had trouble meeting the reporting requirements because they lacked advanced payroll systems.

The Institute for Women's Policy Research may counter that 70 percent of the businesses they surveyed in San Francisco reported no impact on their profitability following the sick leave mandate. But this is very misleading—almost the same percentage of businesses in the survey *already offered paid sick leave* before the mandate went into effect.

**LOCAL IMPACT: *The Minority of Businesses in Connecticut that Don't Offer Paid Leave Are Most Likely to Be Hurt by this Bill***

Of the industries in Connecticut that are covered by this legislation, many—like manufacturing, retail trade, wholesale trade, administrative, and accommodations and food services—have a large concentration of employees earning less than half the average US private sector wage.<sup>5</sup>

<sup>2</sup> See "Employers' Perspectives on San Francisco's Paid Sick Leave Policy." Available online at: [http://www.urban.org/UploadedPDF/411868\\_sanfrancisco\\_sick\\_leave.pdf](http://www.urban.org/UploadedPDF/411868_sanfrancisco_sick_leave.pdf)

<sup>3</sup> See "San Francisco's Paid Sick Leave Ordinance: Outcomes for Employers and Employees." Available online at: <http://everybodybenefits.org/wp-content/uploads/2011/01/san-fran.pdf>

<sup>4</sup> See footnotes 2 and 3. Also see "Impact of Paid Sick Leave on NYC Businesses." Available online at: <http://pfnyc.org/reports/2010-Paid-Sick-Leave.pdf>

<sup>5</sup> See Sabia (2010). Available online at: [http://epionline.org/study\\_detail.cfm?sid=131](http://epionline.org/study_detail.cfm?sid=131).

These employers often have profit margins in the low single digits. So, for each dollar in revenue they bring in, only a few cents are kept in profit—meaning there's not a lot of leeway for added labor costs without unintended consequences.

Past research helps explain why a paid leave mandate would be particularly onerous for the small number of businesses in Connecticut that don't currently offer it. Noted economists like MIT's Jonathan Gruber have established that the cost of a health care mandate is ultimately borne by workers—either through lower wages, or other reduced benefits.<sup>6</sup> And as Larry Summers (of Harvard University, and most recently of President Obama's National Economic Council) pointed out, the cost of a mandated benefit can't be fully absorbed by employees already earning the minimum, and thus could cause job loss among this vulnerable group.<sup>7</sup>

### **CONCLUSION: *Costs of this Mandate Outweigh the Benefits***

Recently released data from the U.S. Census Bureau show there are approximately 5,900 private sector businesses in Connecticut that have 50 or more employees; collectively, those businesses employ approximately 1.1 million people.<sup>8</sup>

Using data from the Bureau of Labor Statistics, we know that approximately 77 percent of these employees *already* have access to paid sick leave. If you expand the definition to include employees with access to any type of paid leave, the number rises to 86 percent.<sup>9</sup>

In short: The vast majority of Connecticut workers already have access to a paid leave benefit, and the remaining employees don't have it because their employer can't afford it. There will surely be unintended consequences if the state mandates a leave policy for that remainder.

In 2008, researchers at Cleveland State University concluded that the costs of a proposed sick leave mandate in Ohio outweighed the benefits.<sup>10</sup> They concluded that "unintended consequences may adversely affect workers and the state's competitive position." The weight of the evidence suggests a similar conclusion for the state of Connecticut

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<sup>6</sup> For instance, see Gruber (1994).

<sup>7</sup> See Summers (1989)

<sup>8</sup> US Census Bureau, Survey of Business Owners, data released in 2009 and 2010

<sup>9</sup> Bureau of Labor Statistics, National Compensation Survey, March 2010

<sup>10</sup> See "Likely Impact of Mandated Paid Sick and Family-Care Leave." Available at: [http://urban.csuohio.edu/urban\\_center/sick\\_leave/](http://urban.csuohio.edu/urban_center/sick_leave/)

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Testimony before the Labor and Public Employees Committee

Re: SB 913 – An Act Mandating Employers Provide Paid Sick Days to Employees

Submitted by Michael Winterfield, Connecticut Working Families

March 1, 2011

P18/L21

I worked for many years in corporate America as a life insurance company actuary and executive

officer. I headed up Annuity Product Development for three major US life insurance companies. I had bottom line responsibility for the products that I developed.

As a retired corporate guy, I understand the immense challenges that business folks face to make an appropriate profit. Businesses have many substantial cost pressures (e.g., covering major rent increases when their current leases expire); I have seen this happen in West Hartford Center. By comparison, I am disappointed at the “pennywise, pound foolish” opposition to Paid Sick Days (PSD) legislation. Paid Sick Days are a critically important health care benefit. They also make very good business sense. The net costs are negligible, even in a worst case analysis.

You have heard many of the reasons why proponents of this measure support it. You have also heard opponents say it would be costly to businesses. I would like to hone in on that point. When

I take a close, hard look at the actual numbers, this is what I have found:

- Paid Sick Day gross costs will be relatively minor. Depending on the type of firm and the % of

total operating costs that is represented by payroll, I believe the maximum gross impact is a 0.3%

to 0.5% increase in total operating costs. In short, we are talking about less than a one-half of one

percent gross cost increase.

- Paid Sick Day costs should generally be offset by lower employee turnover and greater employee

productivity.

- Furthermore, there are many easy ways for employers to absorb these costs through very minor

price increases or very minor savings in other areas.

The Institute for Women's Policy Research has carefully studied the economic considerations.  
Ph.D

Vicky Lovell's 2005 study "*Valuing Good Health: An Estimate of the Costs and Savings of the Healthy*

*Families Act*" calculates the small incremental costs and the offsetting savings. A subsequent February, 2011 study "*San Francisco's Paid Sick Leave Ordinance: Outcomes for Employers*" reinforces these findings. This report provides survey results of 727 SF employers. (The San Francisco Ordinance requires small firms (<10 employees) to provide 5 paid sick days; larger employees must provide 9 days.)

I would highlight two compelling findings in the 2005 Lovell study:

- Average utilization was just 3 days for a 7 PSD benefit as recommended by the Healthy Families

Act. (I would accordingly estimate 2.5 days utilization for a 5 day benefit under SB 913.)

There are always going to be a few shirkers, but in reality most workers do not abuse their sick

Days. Most workers know what it takes to hold on to a decent job and what it takes to get to the

next level. They also know that they need to save their sick time for when they are actually sick or have a family medical emergency.

The San Francisco study confirms this common sense. Covered workers in small firms used an average of 2.2 days per year. Workers in larger firms used 3.1 days per year. Furthermore, over 25% of workers took no sick days off at all.

- Companies that provide PSD average about 5% less turnover than companies that do not provide

PSD. Lovell's study shows that turnover costs (Human Resources department costs, etc.) typically run at about 25% of payroll for hourly workers. A 5% reduction in turnover accordingly results in a 1.25% of payroll savings (which more than covers the costs of 2.5-3 paid sick days per year).

The reasons for reduced turnover should be intuitively obvious. Businesses that treat their employees with dignity establish better morale and increased productivity. Employees respect employers who respect their employees' maturity and their need to stay at home when they are sick.

#### **Example (SB 913 Costs)**

It will be helpful to give a quantitative example of the limited costs.

- Consider a \$10 per hour employee working 7.5 hours per day (250 days per year). This equates to \$18,750 per year.
- 2.5 paid sick day utilization would cost \$187.50. 3 days would cost \$225.
- These utilization rates would convert to a mere 1.0 – 1.2% of payroll for workers subject to the

#### **SB 913 requirements.**

- Payroll costs are just one element of overall operating costs. For example, if covered payroll is 30-40% of overall costs, the SB 913 costs would represent just 0.3 – 0.5% of total operating costs.

Needless to say, no employer will be pushed to the brink of ruin with costs of this nature.

Businessmen routinely raise prices to cover minor cost increases. For example, a \$20 dinner price

at a nice restaurant could be increased to just \$20.06 - \$20.10 to accommodate a 0.3 – 0.5% cost

increase. It is disingenuous for businessmen to deny their pricing power. As an actuary, I was responsible for the product design and pricing of \$ billions of annuity sales. We automatically built

all costs into our pricing models.

The SF study includes other compelling findings:

- “Research following the 2009 H1N1 pandemic in the United States suggested that more than one quarter of private sector employees who contracted the disease did so because of others coming to work while infected.”
- Approximately 6 of every 7 employers reported no reduction in profitability as a result of paid sick day coverage.

I thank the Labor and Public Employees Committee for giving me the opportunity to testify.

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P18/L13

Testimony from Kyle Warner  
Plainville, CT  
March 2011

*Committee on Labor and Public Employees in support of Senate Bill 913 for Paid Sick Days.*

As a Connecticut worker who has seen the effects of not offering paid sick leave, I am in support of Senate Bill 913 for paid sick days. I held a position as a dietary aide at a nursing home. This is one of the last places we want sick employees roaming the halls.

A nursing home is full of vulnerable people who cannot risk getting infected. As a dietary aide we prepared meals for the residents. The likelihood of a worker's illness transferring to a resident is high when dealing with their food. This is why there was a zero tolerance policy for sick workers. If you were sick you could not work. The employee did not have the option of dealing with their cold and working for the needed money. Working sick was too much of a risk and would lead to an early dismissal if found to be sick at work. Depending on the severity of your illness, extra time would need to be taken off to make sure that there was no chance of being contagious. Unfortunately, there is always a few employees who can hide being sick enough to get through the day, this is good for nobody.

Should we really be putting people in this situation? People get sick, it cannot be avoided. Do we tell people that they are going to have to deal with the loss of money? Many individuals at least have the chance to fight through sickness at work to preserve that pay. Employees at nursing homes are not that fortunate. Where are we as a society that the rights and well-being of workers is so disregarded?

A modest amount of paid sick time would put an end to these problems. It is extremely unfortunate that we have no basic standards for the workforce in this country. Kuwait mandates 10 paid days off a year; I think a mere 5 is more than reasonable? I urge you to support this legislation; it is the right thing to do for Connecticut.

P18/L11

CURT N. RAYVIS

12 CLEARVIEW DR., BROOKFIELD, CT. 06804

203-930-8446 [curtnevan@gmail.com](mailto:curtnevan@gmail.com)*Committee on Labor and Public Employees in support of Senate Bill 913 for Paid Sick Days.*

During my thirty plus year work experience before retirement, I spent approximately twenty of those years as both a hiring manager and business owner. My philosophy on business policies is forged by my years of experience at all levels within a company, from clerk to salesman to vice-president of operations and owner/partner.

I believe that a reasonable number of paid "sick days" per year is essential to a well run enterprise, whether a public or private one. My reasoning is as follows:

An extremely important part of any successful business is the ability to retain good employees. One factor in that retention is salary, the rest involves which benefits, if any, are offered, and finally the company's policies regarding things like holidays, coverage for life partners, care for sick children or parents, and yes, sick days.

A happy employee tends to be a healthier employee. I have consistently found, both as a manager and as the actual employer, that for the most part I could trust my employee's judgement about whether she or he was unwell enough to stay home. Having someone working while sick endangers the other workers, and too often exacerbates the illness and prognosis of the employee who should have stayed home.

The main reason a worker will come in to work when sick is the fear of losing income if absent. This unfortunate situation then causes decisions that often have a ripple effect of misery for the employee, his family, his co-workers, and the morale and greater productivity of the company.

Finally, I would also suggest from experience that some will try to take advantage of things like sick days for personal use. In some companies, that is not an issue. Those days have already been "written off" with personal days and holidays. But that is a decision that private business is free to make.

I am comfortable with government, as the employer who is spending our tax dollars, to require reasonable documentation of any chronic condition or prolonged medical absences by a state employee. But that employee should never feel that he or she must come to work if truly sick.

Good government means not wasting precious tax dollars, but this is an issue of both morale, compassion, and a long view that Ben Franklin characterized as being "Penny wise, but pound foolish". A reasonable number of paid sick days should never be an issue in one's employment agreements.

Sincerely, Curt N. Rayvis,

Former co-owner of Rayviserv, Inc. and V.P. of Operations for Task Management, Inc., both in CT.

Paid Sick Leave Testimony – March 1, 2011  
 Submitted to the Labor and Public Employees Committee  
 of the Connecticut General Assembly regarding  
S.B. 913, An Act Mandating Employers Provide Paid Sick Leave to Employees

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New Standard

Senator Prague, Representative Zalaski, Senator Gomes, Representative Santiago, and members of the Labor and Public Employees Committee:

My name is Tessa Marquis. Thank you for the opportunity to address your committee with testimony regarding my experience running a business in the State of Connecticut. Prior to that, I lived and worked in New York City.

My company, New Standard Institute, is based in Milford. Over the past 20<sup>+</sup>plus years I have employed over 80 people through my company, many of them as first-time job holders.

People spend about ¼ of their time at work, but it is their employment that sets the mood for their lives. The conditions people work under effect their attitude as they move on to other jobs and careers. Therefore, it has always been my intention to follow the creed “do unto others” – whether it is when setting up the hours we work, the light and space we work within, the healthcare and education benefits we offer, or many more less definable aspects of a workday requiring the highest level of attention, intelligence, and skill from all the employees.

When you take on the responsibility of other people’s livelihood, the responsibility for their personal lives needs to be approached with care, flexibility, and a view towards privacy.

In 1995, while sitting by my father’s deathbed in intensive care I realized that this sort of time off for a family member could cause enormous additional stress on an employee. I envisioned the effect of having to choose between the paycheck and the personal, and being forced by an employer to select the paycheck. I immediately instituted a 5 day emergency leave policy for staff, five days employees could use to take care of themselves or family members, seek medical attention, or deal with an emergency. I also allow employees to use those days for any serious family stress, so that family funerals and care of grandparents and other close relatives are included.

Eventually, this became a paid sick days and beyond policy, so that vacation time, holidays, and sick days can be used or “swapped out” as needed.

Last year I provided testimony before this committee regarding my experiences with the need for time off for preventive medical care, mental health support, and various other needs that arise at any company. I have attached that statement to your printed testimony and will only repeat one section:

*At our company you are not penalized financially for time out when ill, and we find people return to work sooner and ready to work when given proper care.*

*On behalf of the working people of Connecticut, in particular the mothers and caregivers, I urge you to pass this bill.*

Thank you!

Tessa Marquis  
 New Standard Institute, Inc.

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Testimony for Robert Camacho

Labor and Public Employee Committee on the issue of SB913

I support the measure to ensure that more Connecticut residents receive paid sick days. This issue has been too long eschewed much to the detriment of not only employee health but also public health standards of contagion control. The topic has been warped so that dialogue on this issue invariably leads to the cost on businesses. There is plenty of research on this issue that renders the cost on business argument moot. I testify before this committee as a concerned citizen, employee formerly denied paid sick days, and an educator who has seen firsthand the effects on students by the denial of this health right.

I first would like to address briefly the issue of the cost to businesses. I am certain that business owners are going to testify that they do not need more government regulation, that it will overburden the cost of doing business. I am, as a concerned citizen, aghast that these arguments are treated as persuasive. There are plenty of studies by respectable institutions that have found the cost for businesses that deny this standard to be higher than those who do not. Cornell University, to give just one example of many, found that ill workers on the job could account for up to 60% of corporate health costs.

What is more concerning is the seemingly laissez-faire stance that businesses should be free of this mandate. Issues concerning public health should be regarded as necessary and integral to the cost of doing business. The business argument against sick leave is akin to an argument against the FDA and health inspectors at restaurants because it forces the food service industry's cost of business to increase. As a side note, within the framework of purely a capitalist free-market economy not every business is able to survive. Denying safety standards to ensure that more businesses are able to continue is actually doing a disservice to the free-market economy and against every economic theory that I am aware of. If businesses are not able to provide a benefit or commodity to the community and produce a net gain they are economically unsound and therefore a burden to the system. These insolvent institutions should not dictate safety standards but rather the in order for institutions to be solvent they must be able to function within the basic parameters of their society. Acquiescing to bad business practices is one of the mistakes economists refer to when they talk about the errors that caused the recent recession. Bad business practice and bad businesses harm the economy and should of course not be allowed to dictate policy.

On a more personal note I have had positions that have not provided paid sick leave. I was a server in restaurants for five years. I worked in three different states at numerous restaurants. In none of these workplaces was I allowed any paid sick time. I worked last year with a bartender who contracted swine flu, presumably on the job. At the first signs of his illness he came to work anyway. There were two days he was at work, contagious,

with the beginnings of H1N1. There is no way to quantify how many people Brian infected but the increased probability of infection was due to his lack of paid sick time. Had he been able to take time off of work he would have been home during his most contagious period. He would also have had the ability to realize the seriousness of his condition and not return to work. If we take seriously public health safety standards then offering paid sick time to restaurant workers in a non-issue.

I spent two years in Phoenix, Arizona as a K-8 grade art teacher. I have never been as sick as I was during that period of time. Children naturally contract viruses as their immune systems are still developing. The problem arises when the parents of these children are not able to properly care for them when they become ill. By sending children to school sick parents are unintentionally causing a rise in education costs as the demand for substitutes increases. With education funding being one of the controversial budget cuts proposed in many states this is no small issue.

I do not find the topic of paid sick leave contentious. I find there is no cogent reason to oppose this legislation. Not only is this a necessary safeguard for society and smart fiscally, but it is also a basic human right. We have too long overlooked what the Greeks understood over a thousand of years ago. A central concern for all human beings should be, in Greek, epimelesthai sautou "take care of yourself." It is a basic human right to have the ability to care for.

Robert Camacho  
116 Richard St.  
West Hartford

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**Connecticut Sexual Assault Crisis Services, Inc.**

96 Pitkin Street · East Hartford, CT 06108 · Phone: 860-282-9881 · Fax: 860-291-9335 · [www.connsacs.org](http://www.connsacs.org)

Testimony of Connecticut Sexual Assault Crisis Services  
**In Support of SB 913, An Act Mandating Employers Provide  
 Paid Sick Leave to Employees**

Anna Doroghazi, Director of Public Policy and Communication  
 Labor and Public Employees Committee, March 1, 2011

Senator Prague, Representative Zalaski, and members of the Labor and Public Employees Committee, my name is Anna Doroghazi, and I am the Director of Public Policy and Communication for Connecticut Sexual Assault Crisis Services (CONNSACS). CONNSACS is the statewide association of Connecticut's nine community-based rape crisis programs. During the last year, advocates throughout the state provided services to 5,190 victims of sexual violence and their loved ones. Based on our experience working with victims and survivors of sexual violence, we support SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees.

Having access to paid sick leave would benefit survivors of sexual violence as they confront both the immediate and long-term consequences of their victimization. During their assaults, 31.5% of female and 16.5% of male rape victims sustain physical injuries such as scratches, bruises, sore muscles, broken bones, and chipped teeth.<sup>1</sup> In the days following an assault, victims may have to confront the possibility of an unwanted pregnancy or a sexually transmitted infection. In the long-term, survivors of sexual violence face increased rates of substance abuse, eating disorders, depression, and sleep disorders. The possible repercussions of victimization can take a lifetime to overcome, yet many survivors cannot afford to take even a single day off of work.

44% of private sector workers in Connecticut do not have paid sick days,<sup>2</sup> and when these workers are the victims of sexual violence, many have to choose between receiving the care they need to heal and the income they need to survive. Imagine how it might feel to choose between a day of income and a day of rest following a sexual assault. Think of how difficult it must be to choose between taking your child to counseling and earning the money necessary for your child's continued care. SB 913 would allow victims and survivors of sexual violence to use paid sick time to recover from physical injuries, receive counseling, obtain services from a victim services organization, relocate away from their offender, or participate in legal proceedings related to their assault.

While SB 913 is of obvious benefit to victims and survivors of sexual violence, it also has positive implications for our society as a whole. Providing victims of rape and sexual

<sup>1</sup> Tjaden and Thoennes. *Extent, Nature, and Consequences of Rape Victimization: Findings from the National Violence Against Women Survey* NCJ 210346. Washington, DC: National Institute of Justice, 2006.

<sup>2</sup> The National Partnership for Women and Families *Everyone Gets Sick. Everyone Needs Time to Get Better* Washington, DC: National Partnership for Women and Families, April 2008

assault with a few paid days off of work is a sensible business proposition. 19% of Connecticut residents will experience some form of sexual violence during their lifetime,<sup>3</sup> and these survivors hold jobs in engineering, food services, finance, education, healthcare, and public service. When survivors of sexual violence cannot afford the time to heal from their assault, employers lose money in the form of lost productivity and employee turnover. Providing workers with paid sick days also has implications for public safety. It can take years for a sexual assault case to go to trial, and victims may be required to spend time speaking to investigators and prosecutors in order to build a case against their offender. Victims may also be asked to testify during trials, which last an average of five days.<sup>4</sup> Our communities are safer when victims do not have to choose between earning a paycheck and prosecuting a sexual offender.

Providing victims of rape and sexual violence with a few days off of work makes sense. It promotes a healthy workforce and encourages the prosecution of criminals. It is one small thing that our state can do to support victims of sexual violence during their time of crisis. I hope you will join CONNSACS in supporting SB 913.

Thank you for your consideration.

Anna Doroghazi  
*Director of Public Policy and Communication*  
*Connecticut Sexual Assault Crisis Services*  
[anna@connsacs.org](mailto:anna@connsacs.org)

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<sup>3</sup> Macro International, Inc. *Sexual Assault Attitudes and Experiences Study*. Burlington, VT: Marco International, 2000.

<sup>4</sup> Mize, Hannaford-Agor, and Waters. *The State-of-the-States Survey of Jury Improvement Efforts. A Compendium Report*. Arlington, VA: National Center for State Courts, April 2007.

P16/L11

SB 913**AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO  
EMPLOYEES.**

To the Labor and Public Employees Committee:

March 1, 2011

My name is Nancy Diaz. Until recently, I worked as a School Bus Monitor in Hartford, but was fired in January after having to call in sick.

I am speaking in support of **SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees.**

For the past three years, I worked as a bus monitor for Logisticare. In January, I had to go to the emergency room because I was suffering from a hernia which had to be removed in an emergency operation.

I didn't want to miss work. The way things are now, if you're out sick back-to-back for more than 5 days, they can suspend you without pay. So then you have to go to work, even if you're sick, or, they will cite you. And if I don't go in to work, I don't get paid. It's a part-time job, not a full-time job.

But, after my hernia surgery, my doctor told me that I needed rest to heal, and that I should not go back to work before my healing was finished.

So I gave his written instructions to Logisticare. And I was out for 3 weeks. I do my job well and worked for them for 3 years, but they still fired me, because I was out sick for 3 weeks.

With the Paid Sick Leave to Employees Act, this would not have happened. I would still have my job, which helps my family. It is very frustrating that I was

almost finished with healing when they fired me and despite the fact that I had a doctor's note.

Before this happened, I did go to my job when I was sick. I didn't want to go in sick – if you're sick, you're getting others sick too. But I felt pressure and did not want to get cited, and because if you don't work you don't get paid.

But with my hernia, I had no choice, I had to be out. Please support paid sick days, so that we can be healthier, and so that we don't lose our jobs just because we get sick.

Nancy Diaz  
11 Laraia Ave.  
East Hartford, CT 08108  
(860) 904-2649



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~~P43~~  
P10

**Katherine Emery, CEO, Walker Systems Support  
Testimony for Labor and Public Employees Committee  
IN SUPPORT OF SB 913**

To Senator Prague, Representative Zalaski and the members of the Labor and Public Employees Committee:

My name is Kate Emery. I am the CEO of Walker Systems Support. Founded in 1982, we are a medium sized network management and computer technical support firm located in Farmington Connecticut, with 50 employees and were named one of the fastest growing private companies in the nation.

I would like to offer my testimony IN SUPPORT OF SB 913, the paid sick days bill.

I'm extremely proud of the company we've built, and much of that success is due to talented and dedicated employees who care deeply about the clients they serve, and our company. I believe that employees are investors in a company every bit as much as shareholders are, and I also believe that companies create community and should not be perceived of as simply the property of its shareholders. When, an employer shows employees respect by providing paid time off to take care of themselves and their families, they can expect loyalty and increased productivity in return.

If we operate as if employees are nothing more than annoying, expensive commodities, we ultimately harm ourselves. If for no other reason we should realize that as Connecticut employers, our collective employees are also our clients and customers, and if we short change them as employees we are short changing ourselves down the road. Children and mothers are particularly hard hit. People who are stressed out financially, emotionally, and physically don't create a healthy community, so there are good financial reasons to treat employees fairly and with respect even if the basic human desire to be fair and compassionate doesn't provide reason enough.

Most businesses offer paid time off and understand that it's the humane thing to do, but unless you establish a floor, there will be unsavory companies that take advantage of the most vulnerable among us and deprive them of this basic accommodation. And when you allow companies to make the choice, then there tends to be a race to the bottom: Businesses that might wish to do the right thing feel pinched if they're forced to compete against the less scrupulous companies that don't provide this basic benefit. Especially after the outbreak of H1N1, it should be common sense to guarantee workers a minimum number of days to protect working people, the public health, and also our businesses.

Providing paid time off is a win-win. We need to set a floor (and five days per year seems reasonable). I urge the legislature to adopt and the Governor to sign this humane and common sense reform.

P/S/L19

P  
II

Senator Prague, Representative Zalaski and members of the Labor Committee:

I am writing on behalf of Chili's Grill & Bar and the 19 Casual Dining Restaurants in our State. We have done business in CT since 1987 and employ more than 1,400 residents. I am submitting testimony against SB-913, An Act Mandating Employers provide Paid Sick Leave to Employees.

The costs of doing business in our state are among the highest in the Nation; with one of the highest minimum wages and cost of living expenses. An average full time Chili's employee in CT earns \$12.14/hour. On average, each individual restaurant secures close to 50 employees that would qualify for this benefit.

- FT employee earning 40 sick hours in 2012 = \$486 [\$12.14/hr x 40 hours] cost/person.
- # of employees/restaurant [average] that would qualify for benefit = 50
- Total [average] cost per restaurant in 2012 = \$24,300
- Total cost to Chili's in CT in 2012 = \$461,700

Unique to the Restaurant Industry is the *Urgency of Replacement*, unlike many other industries that could simply do without that individual for a given shift. We maintain that that cost could be doubled, by not only having to pay the individual out of work, but also for the person who replaced them on that particular shift. With a penny profit business such as a restaurant, this cost could put many restaurants right out of business; compounding the unemployment issues we already have.

From a different perspective, most of our Front of the House employees [Dining Room – I.e. servers; bartenders; service assistants] are tipped employees. They would prefer to trade a shift with a co-worker, if they were unable to work due to illness. This is essentially how our industry works. This allows them to keep the tip potential they would earn. If the average shift is 6 hours long – they would only earn \$49.50 in sick pay, which is far short of their earning potential on an actual shift with gratuity.

Currently, Chili's accrues vacation pay for our employees in a similar fashion as this bill recommends. We do allow them use these accrued hours for time-off needed for a variety of reasons; including illness upon their request. Our Managers are diligent with upholding proper health and sanitation standards in the interest and safety of our consumers and employees. We appreciate the option to continue this process to meet both the financial and operational needs of our business and employees.

Thank you for your time.

Irene A. Pia  
Area Director, Chili's

P 14/L23 P-9

**TESTIMONY OF DESIREE ROSADO**  
**Before the Connecticut General Assembly Joint Labor and Employment Committee on**  
**Senate Bill 913: AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO**  
**EMPLOYEES**

March 1, 2011

Good morning/afternoon. Thank you for holding this hearing on paid sick days. It is an issue that matters deeply to families like mine, in Connecticut and around the country. Thank you, also, for giving me the opportunity to testify here today.

My name is Desiree Rosado. I have been married for 15 years and have three children, ages 13, 11 and eight. My oldest daughter, Isabella, is in 8th grade. My middle daughter, Alicia, is in 6<sup>th</sup> grade. My son, David, is in 2<sup>nd</sup> grade.

Like most, we are a working family. I have lived and worked in Groton, Connecticut for 13 years. I currently work for Student Transportation of America as a bus driver. I drive elementary, middle and high school students – including my children – to school and home again afterwards.

My husband works as a security guard supervisor at the Groton Naval Submarine base. He's been working there for six years.

We are members of a church called International Family Worship Center, where my husband and I head the Praise and Worship Department.

Neither my husband nor I are able to earn paid sick days. Luckily, for the last year our family has been mostly healthy. The few times this year someone in the family has been sick, it's happened on the weekend or over a vacation, so no one missed school or work. And neither my husband nor I has had to lose a day's pay to stay home with sick children.

This wasn't the case during the recent swine flu pandemic though: In the fall of 2009 I was working for the public school system as an aide and I was not allowed to earn paid sick days at that job either. All three of my children caught H1N1. It was rough going for awhile.

First Alicia got a terrible headache followed by fever of about 102 that lasted for almost a week. She had stomach pain, dizziness and body aches. I had to miss work to stay home and take care of her.

The very day Alicia was able to go back to school, I went back to work. But I had been in class for about one hour when the school nurse called to tell me that David had a fever of 101. She said he had to go home.

Isabella fell ill that day as well, and she and her brother were both sick for about a week. Isabella developed a sinus infection and bronchitis as well as the flu.

So in all, I missed about two weeks of work to care for my kids.

I got no sick pay, so my paycheck for that period was almost nothing. That caused tremendous hardship for my family. My husband and I lived paycheck-to-paycheck. We had no choice.

We are trying to pay down debts and make our family financially stable, but it's been difficult. And it's made immeasurably harder because whenever we get sick or our children get sick, we have to decide whether to stay home without pay, or to disregard doctor's orders and risk getting sicker and infecting others by going to work or school.

When I don't get paid, it wreaks havoc on our family budget. My husband handles the finances and is able to juggle things around so we can make ends meet, but sometimes we have to borrow from the rent money we've put aside. We hate to do that, but sometimes we have no choice.

That's one of the reasons I joined MomsRising, a wonderful million-member online organization that represents mothers like me across this country. MomsRising supports the paid sick days bill because families like mine need to be able to earn paid sick days – so we don't have to borrow from our rent money and go deeper into debt every time our kids get sick.

When I was asked if I would come here and share my story, and tell you how my family has been affected by this, I was more than willing because having no paid sick days really hurts our family's finances and economic stability.

I am speaking not only for myself, but for many other moms and families in Connecticut who are dealing with the same thing right now – and who need relief.

I frequently see parents put sick kids on the school bus because those parents don't have access to paid sick days. And I know that sometimes school bus drivers have to go to work sick because they can't afford to take a day off of work. That just isn't good for any of our families.

Being able to earn paid sick days would help so many parents and families I know through my work, church, and community, and many more that I don't know personally but who struggle with these same issues.

I am honored to be here today, to take part in this hearing, and to have a chance to tell my story and represent the other members of MomsRising who can't be here today. I hope it will make a difference and convince you to pass the paid sick days bill, so all workers will be able to earn paid sick days.

Thank you.

# HRG Hartford Restaurant Group

99 Sisson Ave. Hartford, CT 06106 • Phone: 860.206.6284 • Fax: 860.206.6251 • Email: [HRG@wntus.com](mailto:HRG@wntus.com)

P13/L 22

Good Evening. My name is Philip Barnett and I'm one of the owners of The Hartford Restaurant Group which consists of the 6 **Wood-n-Taps** (located in: Hartford, Farmington, Southington, Rocky Hill, Vernon & Orange), **Agave Grill** (Downtown Hartford) and **TD Homers Grill** (Southington).

I'm sure many of you have heard that the restaurant business is one of the hardest industries to be successful in. You are 100% correct, it is very difficult! The failure rate is amongst the highest of any other industry in our state. We are the most likely industry in Connecticut to offer a young person his/her first job, employ a woman in her first management position, and to provide a job for a new American.

I haven't had the pleasure to meet each and every one of you but if I had I'm sure you would find that I'm a loving, caring person and absolutely philanthropic. I'd like to tell you a little story about my upbringing and let you know why I feel the way I do. When I was growing up I attended church, Sunday school and a youth group. Attendance of these, along with my parental guidance, instilled a sense of giving back to my community, and caring for others. When I considered being in the restaurant industry and owning my own business, I felt that need to do something for our local communities. I believed owning a business ensured that I could have an impact on giving back to those in need. Well, after 12 years of being self employed (since I was 24) I have made that a large focus. We at the Hartford Restaurant Group have given away more than \$100,000 to non-profit organizations. I encourage each of you to go online to [www.WoodnTap.com/community.htm](http://www.WoodnTap.com/community.htm) and see many of the different charities we have given to. We have also set up pages on our website to accept donations and sponsorship requests.

The reason I share this story is to let you know what kind of people we are. We are exceedingly generous. We opened our first Wood n Tap in 2002. Since then we have opened 7 other restaurants, providing approximately 500 jobs to people in our state. Given the right circumstances, we would like to continue to grow our business in Connecticut. The reality is, SB 913 is unreasonable and not practical, and would most likely stunt any growth opportunities. I'm sure many of you here are saying, "Wow, paid sick leave sounds like a great idea" while not looking at the full picture. From the surface it sounds great but all the underlying challenges and expenses with this bill would be devastating to businesses. The restaurant industry does not want to get the general public sick. We have learned to self police and set up policies and procedures to ensure the safety of our staff and the public. Part of the reason people stay in this industry is because of the flexibility of each individual's schedule. If one of our team members is sick or their child is sick, it is generally very easy to swap, change, or get rid of a shift within seconds. In fact, everything is now web based and they can simply press a few buttons or make a phone call to make this happen. Please don't burden us with this extra layer of bureaucracy.



# HRG Hartford Restaurant Group

99 Sisson Ave. Hartford, CT 06106 • Phone: 860.206.6284 • Fax: 860.206.6251 • Email: [HRG@wntus.com](mailto:HRG@wntus.com)

For those of you that don't know, the costs of doing business in this state are among the highest in the nation. Compared to most other states, we have:

- Higher energy costs / utilities (the third highest in the nation)
- Higher insurance costs
- Higher minimum wage and therefore wage base, a lower tip credit
- Higher workers' compensation costs.
- I can go on and on but as a small state, we suffer unfair competition from restaurants in neighboring states where operating costs are lower.

The restaurant industry is in the "**Right Now**" business. This means if someone can't come in to work, we need to replace them with another employee which in turn would create a double expense.

There are many things we **can't** control in our industry.

- **Gas prices going up.** This will in turn increase the cost of goods, which we can't pass along to our guests because our market can't bear it.
- **The commodities market** is going through the roof with the floods in Australia, the drought in China and the arctic weather which has bombarded the US this winter.
- A 3.2 billion dollar deficit which will be in part put on the backs of businesses.
- The unemployment rate. Another huge increase in expense this year.

Although none of us here today can control any of the said costs above, there is one thing you can control.....That is **NOT** allowing SB 913 to become another mandate on businesses. This will make it 53 weeks of payroll while there are only 52 weeks of business and sales. This would in turn cost our restaurant group over \$126,000 per year.

I ask that you take what I've stated today very seriously and not impose this mandate on the backs of already struggling small business.

Kindly submitted,

Philip Barnett  
 Partner (Hartford Restaurant Group)  
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P13/L20

**Testimony before the Labor and Public Employees Committee**  
**S.B. 913: An Act Mandating Employers Provide Paid Sick Leave to Employees**  
**Submitted by Maggie Adair, Deputy Director**  
**Connecticut Association for Human Services**  
**Tuesday, March 1, 2011**

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Good afternoon Senator Prague, Representative Zalaski, and members of the Labor and Public Employees Committee. My name is Maggie Adair, and I am Deputy Director at the Connecticut Association for Human Services (CAHS). CAHS is a 100-year-old statewide nonprofit organization that works to end poverty and engage, empower, and equip all families in Connecticut to achieve financial security.

CAHS is a partner in **Everybody Benefits, Connecticut's campaign for paid sick days**. I urge you to wage your support for **S.B. 913, An Act Mandating Employers Provide Paid Sick Leave to Employees**.

It is important to note that employers would be in compliance with this bill if they already provide any other paid leave accrued at a rate equal or greater than described in the bill. Other paid leave includes paid vacation, flextime, compensatory time, personal days or paid time off. Employers already providing one or a combination of paid time off would not have to provide additional sick days; they would simply allow the employee to use this paid time off if they or a family member are sick or in need of medical diagnosis, care or treatment, or preventative medical care; or if an employee is victim of family violence or sexual assault. This is very reasonable.

There are compelling reasons to support paid sick days.

**Paid Sick Days promote a healthier work place.** When employees go to work sick, they spread their germs and get other people sick. Think about people who care for the elderly in nursing homes, the school cafeteria workers who feed our children, or the restaurant workers who prepare your nice dinner out. According to research from the National Partnership for Women and Families, 78 percent of employees working in food service and accommodations lack paid sick days.

**Paid Sick Days support family economic security.** Low-wage workers who do not have paid sick time cannot afford to miss a day off – sick or not. Working parents risk losing their jobs if they are forced to miss a work day because they are disabled from the flu or because they need to care for a sick toddler. In this protracted recession when jobs are extremely scarce, we do not want people to lose their job simply because they or a family member are ill. The University of Chicago found that 11

percent of Americans had been fired for taking time off when sick, or for caring for a sick family member, while 12 percent had been warned that they would be fired if they took sick time.

**Paid Sick Days are good for business.** Employees who come to work sick are less productive and take longer to recover from illness. They are also more likely to infect co-workers, which compounds reduced productivity. When the National Partnership for Women and Families created an economic impact analysis for paid sick time legislation in Connecticut, it found the savings for businesses were larger than the costs. This bill will not affect businesses with less than 50 eligible employees, and provides a mere minimum of protection for the most vulnerable in the work force.

**Paid Sick Days allow workers to seek health care early on.** Workers without paid sick days are more likely to avoid seeking care and end up in expensive emergency rooms. They are less likely to receive preventative care, which would keep them healthy.

Currently 40 percent of Connecticut workers do not receive paid sick days from their employers, according to data from the U.S. Bureau of Labor Statistics. The United States is the wealthiest country in the world, and yet does not provide the right for a worker to get sick. This bill will allow hard-working citizens to earn paid sick leave; it is not just given to them. **Paid sick leave is a long overdue minimum work standard.**

S.B. 913 will benefit everyone in Connecticut, especially children and parents. More than 650,000 Connecticut workers are forced to choose between their health and pay. Many of these citizens are parents who need to stay home when their children get sick. Parents should not have to risk employment in order to care for their children. According to the Kaiser Family Foundation, half of mothers miss work when a child gets sick. Of these, half lose pay when they take the time off.

Our low-wage work force has the highest percentage of workers lacking paid sick days. Nationally, 77% of low-wage workers do not have paid sick days – these are the people who can least afford to miss a day of pay. These are the workers that keep the economy running: child care workers, food service workers, school bus drivers, retail clerks, and maintenance workers. One lost day of pay can mean the difference between paying for housing or putting food on the table. The right to take sick time should not be defined by employment status and income.

Thank you for giving me the opportunity to testify.

P13/L16

P6

## TESTIMONY OF KERRY FLORIO

Before the Connecticut General Assembly Joint Labor and Employment Committee on

Senate Bill 913: AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES

MARCH 1, 2011

Good afternoon. Thank you for holding this hearing on the importance of paid sick days and for allowing me the opportunity to speak.

My name is Kerry Florio. I'm a lifelong resident of Connecticut. I grew up, live and work in Norwalk. I'm also a mom. My beautiful son Erik is about to turn 1 in just a few days.

For the last three years I've worked at Norwalk Hospital. As a health care worker, I know firsthand the value of paid sick days. In fact, I work as a unit secretary on the oncology ward where many of our patients are immuno-compromised and are put at serious risk of infection and additional medical complications when exposed unnecessarily to germs and illnesses.

Luckily my employer offers paid sick days. This is incredibly important to me, not just from an occupational safety perspective but also as a working single mother.

Like most mothers of small children I've had to miss several days of work since Erik was born because he's been sick. I even had to take him to the ER once. It all began when over the course of several hours it became apparent that Erik was having trouble breathing. At one point while trying to comfort him, I looked down at him and said, "I don't think you can breathe baby." He whimpered through a wheeze and I knew it was time to get him to the emergency room.

We were in the ER from 10:30 at night to one in the morning. The ER physician felt it was an ear infection but suggested consulting with Erik's pediatrician the next morning. I was lucky to be able to see Erik's pediatrician the next morning at 9 AM. The pediatrician was worried that Erik had RSV (Respiratory Syncytial Virus) which can lead to pneumonia, lung failure and in rare cases death. He gave us a course of treatment and asked me to return the following day again for a check in. Erik was a trooper through this whole ordeal, I was so proud of him.

Because of this unexpected visit I ended missing 16 hours, or two shifts at work. But because I have paid sick days, I didn't have to worry about losing pay or my job. Instead, I could concentrate on being the best parent possible to my little boy when he needed me most.

And that means a lot to me as a parent. It also meant a lot to me as a health worker and future nurse (I'm earning my Bachelor of Nursing Science right now)— knowing that I don't compromise our patients fragile health by going to work ill.

But unfortunately too many families – including families of my patients – don't have paid sick days. When they get sick or their children get sick, they face impossible choices.

That's one of the reasons I joined MomsRising, and why I'm here today – to advocate for the moms and families who don't have paid sick days.

I am honored to be here today, to take part in this hearing, and to have a chance to tell my story. I hope it will make a difference and convince you to pass the paid sick days bill so all workers will be able to earn paid sick days. Thank you.



P2

SBC Restaurant Group LLC  
819 Bridgeport Ave  
Shelton, CT 06460  
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PH/L11

### SB 913, An Act Mandating Paid Sick Leave to Employees

SBC Restaurant & Brewery is a CT company started in 1997 and employees 275 full and part-time workers.

We Strongly Oppose SB 913. There are many arguments against this legislation. Most of you have heard them all before and others will testify to them today.

I guarantee that I share in their views and opposition to this bill. I would, however, like to add the following to the discussion.

We in the restaurant business are in a "disposable income business." We provide food and entertainment to customers who have the ability to pay for these services. We cannot force anyone to use our services or buy our products. Our success or failure usually depends on our ability as owners, chefs and managers to operate in such a manner that we retain not only customers but employees as well.

In a year when the new governor has proposed arguably the largest increase in taxes in CT history, logic would dictate that discretionary income is going to take a hit, thus affecting my customer's ability to fund their entertainment.

In the backdrop of this hit to my industry, SB 913 doubles down on the hospitality industry, proposing yet another job killing business mandate.

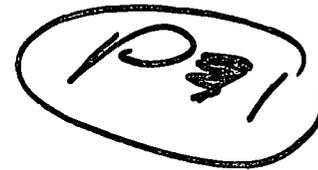
High taxes and employer mandates have driven jobs and people from our great state over the past 20 years. The hospitality industry needs a thriving private sector, job growth, and residents with jobs and money in their pockets. The policies we have pursued these past 20 years have not worked and we should change course. The last thing CT needs is another reason for an employer or business not to relocate here, start here, or stay here

Thank You,

David J Rutigliano  
Owner / Executive Chef  
SBC Restaurant & Breweries



P 10/2 10



Cheryl Folston, Newington, CT  
Testimony in SUPPORT of SB-913

To Senator Prague, Representative Zalaski and the members of the Labor Committee:

Hello, my name is Cheryl Folston and I live in Newington, Connecticut. Thank you for giving me a chance to share my story today.

I'm here today because working a job without paid sick days nearly cost me my life.

I was working as a driver for a livery service. I drove special needs students to school and I drove patients to an eye surgery clinic. The pay wasn't great and there was no health insurance, but it was a job. I worked there for five years, but I never got a paid sick day.

That meant, sick or not, I went into work. Even if I had a cold or a flu or a stomach bug, I would be driving sick patients to the hospital and driving special needs kids to school. I couldn't afford to stay home. Because of bad credit and a past eviction, I can't get a lease on an apartment, so I live at a motel that charges by the week. I couldn't afford to miss even a day's pay.

I hadn't been to the doctor in years, but I never had the chance to take a day off, or even a few hours off, to see a doctor.

In the summer, I was laid off from my job. I didn't know how I would make ends meet. But at least I had a chance to see a doctor. When I went in, he told me I had a serious heart tumor, and if I waited any longer to get medical attention, it could have killed me.

I had heart surgery in December, and I'm still recovering from it. My doctor tell me I'm almost recovered enough to start looking for work again. I hope I can find a job. I hope my next job provides paid sick days.

No one should have to work without even a single paid sick day. Even the lowliest workers deserve to be treated like human beings. Some people's pets get better medical care than people.

We all get sick sometimes. And if you have paid sick days already, maybe you take them for granted. But when I didn't have paid sick days, it almost cost me my life. Is it too much to ask employers to give a few hours to allow people like me to get the medical attention they need?

It simply isn't right, and it isn't healthy. It has to change.

I want to thank Governor Dan Malloy for his leadership and his support for paid sick days legislation. I'm here today to ask the legislature to pass the paid sick days bill right away.

Thank you,  
Cheryl Folston



State of Connecticut

HOUSE OF REPRESENTATIVES  
STATE CAPITOL

REPRESENTATIVE GAIL LAVIELLE  
ONE HUNDRED FORTY-THIRD ASSEMBLY DISTRICT

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MEMBER  
APPROPRIATIONS COMMITTEE  
EDUCATION COMMITTEE  
TRANSPORTATION COMMITTEE

P3/L5

Testimony On  
SB 913, An Act Mandating Employers Provide Paid Sick Leave to  
Employees  
March 1, 2011

Senator Prague, Representative Zalaski, Senator Guglielmo, Representative Rigby, distinguished members of the Labor and Public Employees Committee, thank you for the opportunity to testify regarding SB 913, An Act Mandating Employers Provide Paid Sick Leave to Employees.

While I believe that its proponents have none but the best intentions, I oppose this bill for two reasons. The first is related to its effects on businesses, the second to perceptions within the larger business community.

For five years, I was the chief executive of a firm that belonged to one of the large, international media companies. Based on that experience, I can tell you that running a business is hard work. I can also tell you that no small or medium-sized business can succeed unless those who run it value their employees and treat them with all due respect and consideration. These businesses are dependent on their employees to function properly, and one disgruntled staff member can easily poison an atmosphere. Although not all business owners or managers are decent human beings, the great majority have the sense to worry about upsetting or losing their employees. So not necessarily because they want to, but because they must, they will go to great lengths to accommodate requests for time off related to illness, family matters, accidents, or violent events.

If business owners in Connecticut are faced with the new mandate imposed by this bill, they will have to deal with the administration entailed in compliance. While they might otherwise give employees with legitimate reasons even more time off than the bill requires, under the new rules, most employees may take the time off because it is

available to them, leading to reduced productivity and a higher cost of doing business. Because of the inconvenience and potential costs, employers may hesitate to grow their businesses beyond 49 employees.

I would like to note that the bill protects employees against abuse of their right to paid leave by their employers, but I don't believe that it protects employers against abuses by employees, who might use the days of paid leave without having legitimate reasons for doing so.

The second reason for my opposition to the bill is that I believe it sends a truly negative signal to the business community, both within and outside of Connecticut. I think that all of us in the General Assembly agree with Governor Malloy, who, in his budget proposal, calls job creation the "single biggest issue facing Connecticut". I think we all want to attract businesses to our state, we want those that are here to stay here, and we want them all to grow and create jobs.

At the very moment when attracting businesses and encouraging them to invest in Connecticut is our highest priority, this bill suggests just the opposite. The timing could not be more unfortunate. Even discussing this bill now makes our state government appear lacking in an understanding of the requirements of businesses, unreliable, and, frankly, not altogether sincere in its support of business and job creation.

I respectfully urge the members of the committee not to pursue passage of this legislation.

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Connecticut Department of Labor



Glenn Marshall, Commissioner

P1/L6

**Public Hearing Testimony of  
Glenn Marshall, Commissioner**

**Labor and Public Employees Committee  
March 1, 2011**

SB913

Good Afternoon Senator Prague, Representative Zalaski and members of the Labor and Public Employees Committee. Thank you for the opportunity to testify before you today in support of paid sick leave. My name is Glenn Marshall and I am the Commissioner of the Department of Labor.

I am proud to be here today testifying in support of paid sick leave because I strongly believe that every full-time working person should have access to this benefit. As the former president of Carpenters Union Local 210 and now as the Labor Commissioner, I am proud to have worked well with both organized labor and Connecticut businesses. As I have experienced first-hand, it is possible for the labor and business communities to come together on behalf of the people of the State of Connecticut.

There is no doubt that in these tough economic times we need to have a responsible approach to decision making and an ability to work with broad-based coalitions. It is my duty as the Department of Labor Commissioner to find new and unique ways to ensure our state's labor force is protected, while our state's business community thrives.

In addition, paid sick leave affects those employers that have proven to be able to absorb a short term absence of an employee under the federal and state FMLA. Employers with 50 or more employees are already subject to the federal Family and Medical Leave Act, which provides a significantly greater leave entitlement (unpaid) - 12 weeks over a 12 month period. Similarly, the Connecticut FMLA affects those employers with 75 or more employees and provides eligible employees up to 16 weeks of leave over a 2 year period. This is a concept that will help the working men and women and employers of this state by promoting a safe and healthy workplace.

Thank you for the opportunity to provide this testimony. I will be happy to answer any questions that you may have.

P3/L7



State of Connecticut  
 HOUSE OF REPRESENTATIVES  
 STATE CAPITOL  
 HARTFORD, CONNECTICUT 06106-1591

REPRESENTATIVE MARY M. MUSHINSKY  
 EIGHTY-FIFTH ASSEMBLY DISTRICT

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RANKING MEMBER  
 PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE

MEMBER  
 ENVIRONMENT COMMITTEE  
 FINANCE REVENUE AND BONDING COMMITTEE  
 SELECT COMMITTEE ON CHILDREN

Testimony of Rep. Mary Mushinsky (85<sup>th</sup>) in Support of **R.B. 913, AN ACT  
 MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO  
 EMPLOYEES**

Before the Labor Committee

March 1, 2011

Paid sick leave is a progressive measure that is overdue. In today's society, both parents are typically employed and juggle their time between work and care for children, aging parents, or both. Many Connecticut families are headed by a single parent, a less-than-ideal situation that increases the stress. While many companies understand this dilemma and provide time off to care for a sick family member or the parent herself or himself, others are more rigid and will not allow time off. The parent must then choose to risk being fired or lose pay in order to care for the family member or recover from their own illness. Based on informal discussions with constituents, this difficult choice appears to be more common among workers with service jobs.

I notice that the bill exempts part time teachers of the state higher education system. As they face the same stresses of balancing work and the occasional need to nurse a sick child, spouse or aging parent, I hope the committee will remove the exemption and allow the occasional paid sick day without fear of retribution. Thank you for raising the bill.



# CONNECTICUT AFL-CIO

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Testimony of Lori Pelletier

Secretary-Treasurer of the Connecticut AFL-CIO

Before the Labor and Public Employees Committee

March 1, 2011

HB6428

Senator Prague and Representative Zalaski and members of the Labor and Public Employees Committee, I am Lori Pelletier and I serve as the Secretary-Treasurer of the Connecticut AFL-CIO, and I'm here to testify on behalf of the 900 affiliated local unions who represent 220,000 working women and men from every city and town in our great state.

I am here to testify in support of the following bills:

**S.B. No. 913 (RAISED) AN ACT MANDATING EMPLOYERS PROVIDE PAID SICK LEAVE TO EMPLOYEES.** We, at the Connecticut AFL-CIO strongly believe workers need and deserve to be able to take a paid day off in the event of being sick. It is a fundamental right of a fair and just society and is good business practice. We also believe paid sick days should come from a worker's collective bargaining agreement and that all workers should have such an agreement that provides them fundamental quality of life benefits. Unfortunately, in America today, the deck is so stacked against worker's trying to join a union that we find ourselves coming to the legislature seeking enactment of a law to provide these benefits. We look forward to the day when all Connecticut workers have the right to form a union and when benefits such as this will not have to be legislated but instead will be negotiated as part of a collective bargaining agreement

**S.B. No. 987 (RAISED) AN ACT REQUIRING COMMUNITY WORKFORCE AGREEMENTS FOR CONSTRUCTION PROJECTS AT THE CONNECTICUT STATE UNIVERSITY SYSTEM.** Anytime the State invests money in improvements to our infrastructure whether that infrastructure is road, bridges or buildings we must insist that the money spent is done so with the utmost integrity. Community Workforce agreements (CWA) are insurance on such investment. CWA's facilitate the smooth completion of a project by allowing stakeholders to agree to ground rules and synchronize expectations before the project starts. Wages, benefits, schedules and work rules are standardized up front, and parties agree to prevent work stoppages and submit to speedy dispute-resolution procedures. They also focus on creating a positive community impact, with targeted hiring, training and outreach programs. CWA's are the smart choice for state dollar investments.

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Testimony of Tom Swan  
Labor and Public Employees  
3/1/2011  
In support of SB 913 and HB 6428

Good Afternoon Senator Prague, Representative Zalaski and members of the Labor and Public Employees, my name is Tom Swan and I am the Executive Director of the CT. Citizen Action Group (CCAG). On behalf of CCAG's over 20,000 member families I want to express our thanks and support for SB 913 AA Mandating Employers Provide Paid Sick Leave to Employees and HB 6428 AAC State Financial Assistance and Employers that have transferred jobs out of the state.

In terms of paid sick days I want to congratulate the Committee on your perseverance and willingness to bring this bill forward again this year and to associate myself with the comments of the other supporters. This bill will be good for Connecticut's economy, our families and our health.

As to HB 6428 I want to strongly commend you for raising this important bill and to recommend some ways that you may want to improve it. Connecticut has been and is a very business friendly state and our quality of life remains much higher than most states. We have committed hundreds of millions of dollars to support business through a series of grants, loans, tax breaks, etc to encourage businesses to operate here. According to an Ernst and Young study on state and local business tax revenues for 2009, CT had the 5<sup>th</sup> lowest in total state and local business tax revenues among states when compared to the level of private sector activity in each state.

While HB 6428 will not change the fact that Connecticut taxes businesses at a lower rate than the vast majority of states, but it will demand some degree of accountability for companies that receive aid, loans and tax breaks. It is outrageous that the CEO of UTC took home more than \$20 million last year while spending much of it trying to eliminate CT jobs in violation of clear contractual language. Another example is the CEO of Aetna recently throwing tantrums saying that if CT passed sound public policy he would ship jobs elsewhere. These CEO's have every right to be the jerks they have been, but if they choose to act accordingly the taxpayers of CT should not be left holding the bag. We have given each of these companies millions of dollars in subsidies and their respective workforces are a fraction of what they once were in CT.

HB 6428 has the potential to end these types of hostage taking proposals in CT. It would allow for these and other companies to follow through on their threats but ensure that CT taxpayers are able to recoup some of our investment. We would propose that the reach back provision gets phased in and go up to five years and that the legislation make clear that the tax abatements includes credits and exemptions (like from taxes on investment income). We also believe that there should be a process where companies facing a real economic hardship can appeal the claw backs to DECD and DECD can waive this provision subject to legislative approval.

Thank you once again and we look forward to working with you to make these concepts a reality.