BILL A2354 MANDATED PAID SICK LEAVE ACT

We continue to actively oppose this proposed legislation sponsored by Assemblywoman Lampitt of District 6.  It has now reached the General Assembly floor. Please communicate with your elected representatives to vote NO on this bill.

This bill would require all businesses in the state to offer their employees paid sick leave. A paid sick leave mandate would hurt small businesses and penalize companies that already have paid time off policies.

Under the current proposal, all companies with ten employees and above would be required to provide 72 hours per year of paid sick leave and those with fewer than ten employees would be required to offer 40 hours per year. Further, paid sick leave could be carried over from one year to the next.

It is likely that the enactment of this legislation will negatively impact your bottom line. If a worker takes a sick day, you will not only have to pay the salary of that worker, but would also have to pay the salary of their replacement.

The bill would also apply to part-time workers. For example, if a college student takes a part-time job at your business, they will accumulate paid sick leave that they then could use the following summer when they return. Under the legislation, your business would also face sweeping anti-retaliation provisions making it difficult for you to distinguish between legitimate and illegitimate uses of sick leave. For instance, you would have to pay whatever costs would be involved in your employee providing you with a doctor's note.

Even if you already have a Paid Time Off policy you would still be subject to more regulation, additional record-keeping requirements and a prohibition on requiring your employees to find their replacements (even when their leave is foreseeable).