

# The Healthy Families Act

NOVEMBER 2023

People should not have to make impossible choices between caring for their health and keeping a paycheck or job. Yet nearly 28 million workers – 22 percent of the private sector workforce – are forced to make that decision when illness strikes because they cannot earn paid sick days.<sup>1</sup> Millions more workers cannot earn paid sick time they can use to care for a sick child or family member.<sup>2</sup> Some states and cities are doing better, but it is long past time for all working families to have the job and economic security paid sick days provide.

## A Basic Workplace Standard

Sponsored by Rep. Rosa DeLauro (D-Conn.) and Sen. Bernie Sanders (I-VT.), **the Healthy Families Act would set a national paid sick days standard – a critical step toward meeting the health and financial needs of working families.**

The Healthy Families Act would:

- Allow workers in businesses with 15 or more employees **to earn up to seven job-protected paid sick days each year** to be used to recover from their own illnesses, access preventive care, provide care to a sick family member, or attend school meetings related to a child’s health condition or disability. Workers in businesses with fewer than 15 employees would earn up to seven job-protected *unpaid* sick days each year to be used for the same reasons, unless their employers choose to offer paid sick days.
- Allow workers who are **survivors of domestic violence, stalking or sexual assault** to use their paid sick days to recover or seek assistance related to an incident.
- Include a **simple method for calculating accrued sick time**. Workers would earn a minimum of one hour of paid sick time for every 30 hours worked, up to 56 hours (seven days) per year, unless the employer selects a higher limit.
- **Allow employers to require certification** if an employee uses more than three paid sick days in a row. For survivors of domestic violence, the certification may be from a law enforcement officer or survivor advocate.
- **Allow employers to use their existing policies**, as long as they meet the minimums set forth in the Healthy Families Act for time, types of use and method of use, and give employers flexibility as to how they define a “year” for the purposes of sick time accrual.

## Benefits for Families, Businesses, Health and the Economy

A national paid sick days standard would help working families meet their health and financial needs while boosting businesses' productivity and retention rates and strengthening the economy.

- **Paid sick days provide families with economic security.** Workers without paid sick days jeopardize either their health or their families' financial stability when they or a loved one gets sick – and lower wage workers are most vulnerable. Nearly one-quarter of U.S. adults (23 percent) report they have lost a job or have been threatened with job loss for taking time off work due to illness or to care for a sick child or relative.<sup>3</sup> One-quarter to one-half of domestic violence survivors report losing a job in part due to the violence.<sup>4</sup> And workers who must take time away from work without pay often have to sacrifice their families' financial stability to do so. For a typical family without paid sick days, on average, 4.4 days of pay lost due to illness are equivalent to the family's entire monthly health care budget, and 3.3 days are equivalent to its entire monthly grocery budget.<sup>5</sup>
- **Paid sick days have been proven to benefit public health and flatten the curve of infection during an emergency.** Workers without paid sick days are more likely to report going to work with a contagious illness like the flu – and risk infecting others.<sup>6</sup> Parents without paid sick days are more than twice as likely as parents with paid sick days to send a sick child to school or day care.<sup>7</sup> Workers in jobs that require frequent contact with the public, including those in food preparation and service, personal home care and child care, are among the least likely to have paid sick days and the most likely to be unable to afford to take an unpaid day away from work.<sup>8</sup> Research has long shown that workers without paid sick days are more likely to come to work sick or injured,<sup>9</sup> and are less able to stay home and recover. The benefits of a national standard were proven by the implementation of an emergency paid sick days program in April 2020: states where workers gained new access to paid sick days through the Families First Coronavirus Response Act (FFCRA) saw 400 fewer coronavirus cases per state per day, with a national impact of 15,000 fewer cases per day.<sup>10</sup> Paid sick leave laws reduce mortality among working-age people.<sup>11</sup>
- **Paid sick days can decrease unnecessary health care costs.** People without paid sick days are about twice as likely to use emergency room care rather than typical medical care; parents without paid sick days are about five times more likely to take a sick child or family member to an emergency room rather than seek typical medical care.<sup>12</sup> If all workers had paid sick days, 1.3 million emergency room visits could be prevented each year, saving \$1.1 billion annually. More than half of these savings – \$517 million – would go to taxpayer-funded health insurance programs such as Medicare and the State Children's Health Insurance Program.<sup>13</sup>

## Working Families Need the Healthy Families Act

**Paid sick days policies have been enacted successfully at the state and local levels and evidence shows they are working well, without adverse business or economic effects, but America’s working families deserve a national standard.** Fifteen states, including the District of Columbia, and many more cities and counties nationwide have adopted paid sick days laws.<sup>14</sup> Eighty-two percent of voters support a permanent paid sick days policy, including 72 percent of Republicans, 79 percent of Independents and 93 percent of Democrats.<sup>15</sup> Workers everywhere should have a fair shot at getting the care they need, caring for a child or assisting a parent. The Healthy Families Act would establish a much-needed national standard.

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<sup>1</sup> U.S. Bureau of Labor Statistics. (2023, September). *National Compensation Survey: Employee Benefits in the United States, March 2023 (See Excel tables, Private industry workers, Leave)*. Retrieved 9 November 2023, from <https://www.bls.gov/ncs/ebs/benefits/2022/home.htm>

<sup>2</sup> U.S. Bureau of Labor Statistics. (2019, August 29). *Access to and Use of Leave Summary (Table 3: Workers with access to paid or unpaid leave and their ability to use leave by reason, averages for the period 2017-2018)*. Retrieved 13 October 2022, from <https://www.bls.gov/news.release/leave.t03.htm>

<sup>3</sup> Smith, T. W., & 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. Retrieved 25 March 2021, from <http://www.nationalpartnership.org/research-library/work-family/psd/paid-sick-days-attitudes-and-experiences.pdf>

<sup>4</sup> U.S. General Accounting Office, Health, Education, and Human Services Division. (1998, November). *Domestic Violence: Prevalence and Implications for Employment among Welfare Recipients* (GAO/HEHS-99-12). Retrieved 25 March 2021, from <https://www.gao.gov/assets/hehs-99-12.pdf>

<sup>5</sup> Gould, E., & Wething, H. (2023, November 2). *Paid sick leave access expands with widespread state action*. Economic Policy Institute Publication. Retrieved 9 November 2023, from <https://www.epi.org/publication/paid-sick-leave-2023/>

<sup>6</sup> Hill, H. D. (2013). Paid Sick Leave and Job Stability. *Work and occupations*, 40(2), 143-173.

<sup>7</sup> See note 3.

<sup>8</sup> Xia, J., Hayes, J., Gault, B., & Nguyen, H. (2016, February 17). *Paid Sick Days Access and Usage Rates Vary by Race/Ethnicity, Occupation, and Earnings*. Retrieved 25 March 2021, from Institute for Women’s Policy Research website: <https://iwpr.org/iwpr-publications/briefing-paper/paid-sick-days-access-and-usage-rates-vary-by-race-ethnicity-occupation-and-earnings/>

<sup>9</sup> DeRigne, L., Stoddard-Dare, P., & Quinn, L. (2016, March). Workers Without Paid Sick Leave Less Likely To Take Time Off For Illness Or Injury Compared To Those With Paid Sick Leave. *Health Affairs*, 35(3), 520-527. doi: 10.1377/hlthaff.2015.0965

<sup>10</sup> Pichler, S., Wen, K., & Ziebarth, N.R. (2020, October 15). COVID-19 Emergency Sick Leave Has Helped Flatten The Curve In The United States. *Health Affairs*, 39(12), doi: 10.1377/hlthaff.2020.00863

<sup>11</sup> Wolf, D. A., Karas Montez, J., & Monnat, S. M. (2022, August). *U.S. State Preemption Laws and Working-Age Mortality*. *American Journal of Preventive Medicine*. Online first. doi: 10.1016/j.amepre.2022.06.005

<sup>12</sup> See note 3.

<sup>13</sup> Miller, K., Williams, C., & Yi, Y. (2011, November 14). *Paid Sick Days and Health: Cost Savings from Reduced Emergency Department Visits*. Institute for Women’s Policy Research Publication. Retrieved 13 October 2022, from: <https://op.bna.com/dlrcases.nsf/r?Open=dcan-8nms5r>

<sup>14</sup> National Partnership for Women & Families. (2023, June). *Current Paid Sick Days Laws*. Retrieved 9 November 2023, from <http://www.nationalpartnership.org/research-library/work-family/psd/current-paid-sick-days-laws.pdf>

<sup>15</sup> National survey of 1,200 voters conducted October 31 – November 3, 2020 by Lake Research Partners and the Tarrance Group. Retrieved 13 October 2022, from National Partnership for Women & Families website: <https://www.nationalpartnership.org/our-work/resources/economic-justice/voters-show-bipartisan-support-for-permanent-paid-sick-days-and-paid-family-and-medical-leave.pdf>

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