

## UNIONS WIN IT: Paid Sick Days

### BACKGROUND

Did you know that the United States has no federal standard for earned paid sick leave? While 163 other countries have laws that guarantee paid sick leave, in the U.S., an employer can dock pay or fire a sick worker for staying home to recover. Nearly 42% of all U.S workers do not earn any paid sick leave and 80% of the lowest paid workers don't get a single paid sick day. Workers without paid sick days handle our food at restaurants, drive our buses, bag our groceries, care for our kids at daycare centers, and nurse the sick and elderly. Forcing workers to work sick poses a public health risk and lack of earned paid sick leave threatens the economic security of working families.

A minimum standard for earned paid sick days will increase protection for our families and communities and strengthen our economy. In the absence of such standards, unions can help by bargaining for paid sick leave benefits.

### FEDERAL AND STATE LAWS

Although no Federal law currently exists, efforts to establish a national paid sick days standard are garnering support. [Learn more](#)

- In January 2012, Connecticut became the first state in the nation to guarantee paid sick days for some workers. **Visit:** <http://www.ctdol.state.ct.us/wgwkstnd/SickLeave.htm>
- Local laws have been enacted that guarantee paid sick days in San Francisco, Washington DC, and Seattle. Like Connecticut, they provide a number of earned sick days that are job protected and cover individuals and specified family members.  
**San Francisco Paid Sick Leave Ordinance:**  
<http://sfgsa.org/index.aspx?page=419>  
**Seattle Paid Sick & Safe Time:**  
<http://www.seattle.gov/civilrights/SickLeave.htm>

There are laws governing family leave in several states which should be integrated with any bargaining on paid sick days. [So make sure to check your state laws before bargaining.](#)

### COLLECTIVE BARGAINING

Federal and state laws set the floor to bargain for broader work family contract language. Using current laws as a framework, unions can negotiate additional protections in the collective bargaining agreement by clarifying terms and making definitions more encompassing. Here are several areas where unions can bargain to strengthen and enhance paid sick leave benefits:

#### **Cover current laws**

Include state and local laws on paid sick days, as well as integration with any state family leave laws so that potential disputes will be subject to grievance and arbitration, at the option of the employee. See also [Family Leave](#) fact sheet.

#### **Paid time off**

Consider a Paid Time Off (PTO) provision that can be used at the employees' discretion for any reason, including emergency illness. For more information on PTO considerations, see [Paid Time Off](#) fact sheet.

### ***Expanded coverage & definition of family***

Bargain for language allowing employees to use sick leave to care for family members (Check states laws). Include a broader definition of family members for whom paid sick leave may be used – domestic partners, siblings, foster children, grandparents, grandchildren, in-laws and others. Provisions can go as far as to allow leave for children’s health appointments, and school activities.

### ***Sick Leave for Pregnancy***

Bargain for language that allows expectant or new mothers to use their accrued sick leave for periods of pregnancy related disability.

### ***Extended sick leave***

Include provisions that guarantee additional sick leave in the event of a health condition that outlasts available sick leave. Such provisions are most common in teachers’ contracts.

### ***Sick leave bank & and donated leave***

Grant workers the right to bank sick leave for emergencies, get sick leave advances or to donate their accumulated leave to co-workers who have used their leave

allocations but are in need of additional leave to deal with their own health condition or the care of a family member.

### ***Cash out option***

Think creatively about the payment of sick time. Bargain for provisions that give workers the opportunity to receive cash payments for unused sick leave upon termination of employment or retirement.

### ***Increase affordability***

Help employees avoid loss of wages by including language on paid sick leave that integrates benefits such as vacation or family leave to cover wage loss.

***See our other fact sheets on [Family Leave](#), [Flexibility](#), [Child Care](#), and [Paid Time Off](#).***

***A wide range of actual contract language is available for free in the Labor Project’s [LEARN WorkFamily database](#).  
[www.learnworkfamily.org](http://www.learnworkfamily.org)***

*Get more information and download free resources: [www.working-families.org](http://www.working-families.org)*

## **GET INVOLVED**

Labor’s involvement is crucial to building the 21<sup>st</sup> century family-friendly workplace. ***Join national, statewide and local efforts to win paid sick leave for all workers.***

**[Healthy Families Act \(H.R. 1876/S.984\)](#)**: Stay apprised of this national legislative effort. Identify Congressional co-sponsors and local champions in your area. Work with your union to learn more about how you can move this bill on Capitol Hill. [www.nationalpartnership.org](http://www.nationalpartnership.org)

**[Family Values @ Work](#)**: Over the last 10 years at least 24 campaigns have been waged for paid sick days. Currently, paid sick days campaigns are active in Massachusetts, California, New York City, Philadelphia, PA, Portland, OR and several cities in Florida. Learn about and join efforts of labor-community coalitions working for paid sick days, family leave insurance and other policies that value families at work. You can also build a Paid Sick Leave Committee in your union to petition, survey and generate interest and support for a local campaign. [www.familyvaluesatwork.org](http://www.familyvaluesatwork.org)

**[California Work & Family Coalition](#)**: Learn about and join our California-specific campaigns on issues such as family leave, caregiver discrimination, and paid sick days. [www.workfamilyCA.org](http://www.workfamilyCA.org)