

## Some Business Leaders Still Fighting Basic Worker Protection Like Paid Sick Leave

Posted: April 30, 2012

By David R. Jones

President and CEO, Community Service Society of New York

There is a debate raging in New York City as to whether employers should provide their employees with paid sick leave. Most people I mention this to assume that employees, when ill or when their kids are sick, can get a couple of days to deal with it lest they infect the people they work with, customers, et al, or pass out while using the food slicer.

But, in fact, over 60 percent of low-wage workers in New York City, those working in fast food restaurants and many dealing with children and the elderly, don't have any paid sick leave ("[Still Sick in the City](#)," Community Service Society, January 2012). They face a stark choice: either go to work no matter how sick they or their child are or face - at best - the loss of a day's wages or -- at worst -- the loss of their employment in one of the worst economies in modern history. Not surprisingly, when we polled workers without sick leave as to what they do, the almost universal answer was "I go to work" ("[Sick in the City](#)," Community Service Society, October 2009).

Paid sick leave has already become law in San Francisco, Washington, D.C., and the state of Connecticut. When the public is polled, people overwhelmingly support the rights of workers who are legitimately ill to not face loss of wages or a job.

We've even tested this here at the Community Service Society. We ran a petition seeking support from Mayor Bloomberg for sick leave, which cited the fact that the New York City Council, as an act of extraordinary decency, passed a law signed by the mayor providing for five weeks of vacation a year for the carriage horses that take tourists around Central Park, but currently doesn't provide any similar protection for low-wage workers who get ill. Nearly 10,000 New York City residents signed our petitions (online petitions available [here](#) and [here](#)).

But paid sick leave legislation [introduced](#) by Councilmember Gale Brewer with 37 sponsors has run into a firestorm of resistance from some members of the business community and the mayor. In the last legislative session of the City Council, despite also having a veto proof margin of 37 supporters, City Council Speaker Christine Quinn [refused](#) to let the bill come to vote. A similar situation is shaping up in the current session, with the mayor [once again](#) promising to [veto the legislation](#), if passed.

The crux of the opposition to paid sick leave isn't that the city shouldn't have such a law, but rather that this legislation would hurt small businesses and actually slow down the hiring of low-wage workers. It's argued that when the impact of the Great Recession abates, that's the time to consider such a law.

No one can say that members of the business community lack "chutzpa." No one denies that the cause of the current crisis had nothing to do with benefits provided to low-wage workers and everything to do with the lack of government oversight of the financial sector. Now that the recession lingers on, it's being used as a reason to deny workers at White Castle and Wendy's paid sick leave because it would potentially hurt business.

In fact, the [evidence](#) is already in from San Francisco that its much stronger paid sick leave legislation had no impact on small business, or big business for that matter. It tended to level the playing field for businesses that were already providing the benefit and was used only sparingly by employees overall. It was often cited by employers as decreasing the number of employees who were infected by their co-workers.

This isn't the first time these arguments against expanding basic worker rights have been advanced because they would be a drag on business and would cause less opportunity for jobs. In fact, when one reviews the history of the city and nation over the past 100 years, virtually every effort to protect workers has been met with the same "job killing" argument.

A perfect example was business reaction to proposed fire safety standards for workplaces in the aftermath of the Triangle Shirt Waist Factory fire in 1911 in which 146 workers [perished](#), almost all of whom were young women, many of them child workers. A spokesman for Associated Industries of New York, a business trade association of its day, asserted that the new fire safety rules would mean, "the wiping out of industry in this state."

Business reaction to placing safety guards on machines, child labor restrictions, ventilation standards, and length of workdays have all been met with the same arguments that such laws would harm business and lead to a reduction in job opportunity. Suffice it to say, no dire consequences have occurred and workplace productivity continues to go up in New York and the nation.

In some ways the mayor's opposition to paid sick leave is the most perplexing. Perhaps more than any mayor of a major American city in recent times, he has led the way on improvement in municipal public health. His efforts at restaurant safety, on smoking cessation, obesity, and even his crusade against guns have all been among programs which will be a significant part of his legacy as a three term mayor. But when it comes to paid sick leave, which virtually every expert agrees would have a significant impact in decreasing communicable disease and workplace injury, it's as if he forgets his public health mission and becomes a businessman who wants no government intrusion on how workers are treated.

The current bill being considered by the New York City Council has been carefully rewritten to avoid serious impact on small employers. Maybe the mayor will put his public health hat back on and come around to endorsing it. It would be another position which would burnish his legacy as the foremost municipal leader in the realm of public health.