

## How Philly Works: Will City Council Order Sick Leave?

A cook at a nice little joint in your city neighborhood has felt it coming on for days, but now the flu has hit him full force and he's sick as a dog.

What should he do? Go to work and cook your lunch anyway or stay home?

Here's the catch. He does not have paid sick leave. Staying home means losing income, maybe even his job.

Paid sick leave sounds like a great idea, right?

But there's another catch. The woman who owns the place and works long hours keeping it afloat, says she can't afford paid sick leave. If she is forced to, the place goes out of business.

These are the kind of situations that have turned up the pressure on the City Council, which last month approved a paid sick leave [bill](#) by an 11-6 vote. Mayor Nutter vetoed it, for the second time in two years, saying the economic climate is not right for such a move and that, if city businesses are forced to offer it, the message will resound loud and clear: Philadelphia is not a business-friendly town. Don't stay. Don't come.

City Council has until Thursday to override the mayor's veto. As the deadline approaches, this [HOW PHILLY WORKS](#) tells you why sick leave has a much more symbolic meaning than simply whether your neighborhood joint has to pay its ailing and possibly contagious cook.

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### Get me away from that cook!

Try another restaurant. On a more serious note: sick leave has become an emotional battle pitting those who believe governments must be humane and sensitive to low-income workers against others who say it's an unaffordable luxury for cities and states working their way out of the recession and competing to attract businesses and jobs. Many people who support the concept of sick leave (like the mayor) have come down on the can't-do-it side of the equation.

### What exactly is paid sick leave?

It's pretty straightforward: The proposal passed by Council would allow full- and part-time workers at businesses in the city to earn time off, with pay, to use when they or a family member are sick. Victims of domestic violence, sexual assault or stalking also could use the time to get treatment or counseling. Time would be accrued at the rate of one hour for every 40 worked.

### I work in a small business. Would this apply to me?

It depends how “small” your business is. If your company has five or fewer workers, you wouldn’t be entitled to any paid sick leave. Employees of small businesses (six to 21 workers) could earn up to four days a year. Large businesses (more than 21) could earn seven days.

### **My sister works at a gift shop during the holidays. What if she gets sick?**

The sick leave bill doesn’t apply to seasonal workers (like your sister), to independent contractors, employees hired for six months or less, interns, state and federal employees or workers whose sick leave is subject to terms of a “bona fide collective bargaining agreement.”

### **Actually I already get paid when I’m sick (as long as I don’t overdo it). Would I be entitled to more sick leave under Council’s bill?**

Like you, many employees get paid sick leave as part of their benefits package. But if you work for a company covered by Council’s bill, and your company’s sick leave policy is just as good (or maybe even better) than what the bill would require, your company isn’t required to give you additional paid sick leave.

### **How many people would the sick leave bill cover?**

According to supporters, more than 100,000, and maybe up to 200,000, workers in Philly don’t have sick leave benefits – and have to choose between going to work sick or staying home and losing income, or possibly even their jobs. Overwhelmingly, according to think tanks that research public policy issues, these workers don’t earn a lot of money to begin with.

### **Would sick leave really impact employers – or is it a scare tactic?**

Opponents argue that paid sick leave is genuinely a jobs killer and attach numbers to prove their point. An analysis by a Temple University professor of Economics commissioned by the Greater Philadelphia Chamber of Commerce concluded that paid sick leave would cost Philadelphia 4,000 jobs and \$350 million in economic development opportunities.

### **I don’t understand why a few days off would cost businesses so much.**

Deputy Mayor for Economic Development and Commerce Director Alan Greenberger spelled it out during a March hearing in Council: Small and medium sized business owners would have to reduce pay for their workers, or hire fewer workers, to cover the costs replacing employees who are out sick (but still getting paid). Smaller businesses, especially, would opt to hire five or fewer employees, or convert employees to paid-by-the-hour independent contractors, just to be exempt from the sick leave bill. Adding up lots of these examples, Greenberger warned, would confirm the city’s reputation as a “poor business climate.”

### **But doesn’t he think the other side has a valid point.**

He does, but he said good intentions don’t always make for good policy.

### **Would Philly be a trendsetter if it adopted paid sick leave?**

Not exactly. The city is at least several horses back in the cavalry charge on this one. San Francisco, Seattle, Portland and Washington D.C. have adopted various forms of paid sick leave along with one state, Connecticut. After several failed attempts, and despite the opposition of

business-friendly Mayor Michael Bloomberg, New York's City Council is poised to pass a bill after negotiations last month reached a compromise. (One of which is that the bill won't go into effect until spring 2014 and would not be implemented then if the city's economy worsens, according to a Federal Reserve Bank of NY index.)

### **This is Philadelphia. You haven't mentioned politics yet.**

We're getting there. New York City's Democratic Council Speaker Christine Quinn kept a sick leave proposal from reaching a vote for three years. Now she's running for mayor and her Democratic opponents have pounded her on the issue, which many observers say led her to agree to the sick leave bill compromise.

### **Is sick leave a partisan political issue?**

It tends to get more support from Democrats but it's not that cut and dried. All three Republicans on Council – Brian O'Neill, David Oh and Denny O'Brien – voted against the sick leave bill. But so did the two Council members most often mentioned as future mayoral candidates: Bill Green and Jim Kenney. (First District Council member Mark Squilla was the sixth vote against the bill.)

### **What will it take to override the mayor's veto?**

Twelve votes. Bill Greenlee, sponsor of the sick leave bill, is working hard to secure one more vote. It will be interesting to see how much money was spent lobbying Council members on the bill.

### **How will we find that out?**

When lobbyists' expense reports for the first quarter of 2013 have to be filed with the Philadelphia Board of Ethics. The due date is April 30. (In other words, you won't know until after the fact.)

### **Can Harrisburg force Philadelphia to adopt sick leave?**

It's an interesting question. Mississippi, Louisiana and Wisconsin have approved measures to restrict municipalities' right to adopt paid sick leave. Will Pennsylvania join them? Nothing's in the pipeline during this session.

### **Does Seventy have a position on the sick leave bill?**

We don't.

*Check back with us on Thursday to find out whether Councilman Greenlee gets the votes to override the mayor's veto. As always, e-mail us at [futureofthecity@seventy.org](mailto:futureofthecity@seventy.org) with comments or questions.*