

Headquarters

40 Worth Street, 10th Floor
New York, NY 10013
tel: 212.430.5982

info@abetterbalance.org
abetterbalance.org

Southern Office

2301 21st Avenue South, Suite 355
Nashville, TN 37212
tel: 615.915.2417

Paid Sick Days are Essential for New York's Public Health

All New Yorkers have one thing in common: sometimes, they or their loved ones get sick. However, throughout the state, many workers lack access to paid sick days, which can put them in the difficult position of having to choose between working while sick or taking unpaid time off, jeopardizing their paychecks and in some instances, their jobs.

Time and again, studies have shown that paid sick leave laws benefit workers and their communities. Ensuring that workers are able to take paid leave when they or their loved ones are sick reduces the spread of illness in the workplace, schools, and daycares. Access to paid sick leave also makes workers more likely to seek preventative care, an important part of maintaining one's overall health. To date, 11 states and nearly 40 localities (including New York City and Westchester County) have passed legislation requiring employers to provide paid sick leave, recognizing the important public health benefits of paid sick leave laws. When workers can take needed time off without fear of losing out on pay or being fired, the result is improved health outcomes, speedier recoveries for workers and their families, reduced total healthcare spending, and a decreased risk to the public health in general.

Paid sick leave has broad public health benefits for the entire community and makes all of us safer.

- It is estimated that the lack of paid sick leave was responsible for 5 million incidents of flu-like illness during the H1N1 pandemic.¹
- In a simulated influenza epidemic, 72% of employees who caught the flu at work did so because of exposure to other employees attending work while sick; paid sick days would reduce flu incidences among workers by approximately 6% across all workplaces, and by over 7% in workplaces with 49 or fewer employees.²
- Sick leave also reduces instances of on-the-job injuries by 28% across all industries, including personal care services and construction, among others.³

Lack of paid sick leave makes workers more likely to go to work while sick and puts our communities at risk.

- Access to paid sick leave reduces presenteeism (employees showing up to work while sick) and reduces overall contagion.⁴ Presenteeism is linked to the spread of harmful contagions to co-workers and customers.⁵
- A study of data from the 2009 flu outbreak found that workers with paid sick leave were 30 percent more likely to be vaccinated and were more likely to seek treatment when they were sick with flu-like symptoms compared to those without paid sick leave.⁶
- A lack of access to paid sick days is particularly harmful for service industry workers. Nearly two-thirds of restaurant workers have cooked or served food while sick,⁷ and in

2011, nearly one in five food service workers went to work vomiting or with diarrhea, creating dangerous health conditions.⁸

- People without access to paid sick leave are 1.5x more likely to go to work while they have a contagious illness and are nearly twice as likely to send a sick child to school or daycare than those with access to it.⁹

Workers with paid sick leave are more likely to seek preventative care than workers without paid sick leave, leading to better health outcomes as well as saving public money.

- People without paid sick days tend to be unable to make time for preventative health care, such as cancer screenings and flu shots, which makes it more likely that such workers will have more significant healthcare needs at later stages of an illness.¹⁰
- Workers with access to paid sick days report better general health than workers without paid sick days and are less likely to delay preventative medical care for themselves or for their family.¹¹ Because of their ability to seek preventative care, workers with paid sick days are less likely to use hospital emergency departments, reducing national hospital emergency department visits and medical costs by \$1.1 billion annually.¹²

Low-income and minority workers are most affected by lack of paid sick leave.

- Among the lowest-paid decile of private-sector workers, only 20% have access to paid sick leave, compared to 87% of workers in the top-paid decile.¹³
- Workers with high levels of public contact (i.e., those working in the restaurant/service industry, child care professionals, etc.) are among the least likely to have access to paid sick days, suggesting major implications on public health.¹⁴ Specifically, only 21% of workers in food preparation and serving related occupations and 28% of workers in personal care and service occupations have paid sick leave.¹⁵
- Hispanic and Black workers are also among the least likely to have access to paid sick leave.¹⁶ Less than half of Hispanic workers and only 60% of Black workers have paid sick leave.¹⁷
- During the height of the H1N1 pandemic, workers with lower rates of access to paid sick leave were more likely than those with higher rates of access to paid sick leave to go to work sick, and as a result, the pandemic lasted longer in their workplaces as the virus spread from co-worker to co-worker.¹⁸

For more information on paid sick leave policies, including summaries of existing paid sick leave laws, visit <https://www.abetterbalance.org/our-campaigns/paid-sick-time/>.

¹ Supriya Kumar et al., *The Impact of Workplace Policies and Other Social Factors on Self-Reported Influenza-Like Illness Incidence During the 2009 H1N1 Pandemic*, 102 Am. J. Pub. Health 134 (Jan. 2012), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3490553/>.

² Supriya Kumar et al., *Policies to Reduce Influenza in the Workplace: Impact Assessments Using an Agent-Based Model*, 103 Am. J. Pub. Health 1406, 1408 (Aug. 2013), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3893051/pdf/AJPH.2013.301269.pdf>.

³ Abby Asfaw et al., *Paid Sick Leave and Nonfatal Occupational Injuries*, 102 Am. J. Pub. Health 59, 62-63 (2012), available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3482022/pdf/AJPH.2011.300482.pdf>.

⁴ Stefan Pichler & Nicolas R. Ziebarth, *The Pros and Cons of Sick Pay Schemes: Testing for Contagious Presenteeism and Noncontagious Absenteeism Behavior*, Nat'l Bureau of Econ. Res. (Aug. 2016), <https://www.nber.org/papers/w22530.pdf>.

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- ⁵ Human Impact Partners & S.F. Dep't of Pub. Health, *A Health Impact Assessment of the Healthy Families Act of 2009* (June 11, 2009), http://go.nationalpartnership.org/site/DocServer/WF_PSD_HFA_HealthImpactAssessment_HIA_090611.pdf?docID=5101.
- ⁶ Yusheng Zhai et al, *Paid Sick Leave Benefits, Influenza Vaccination, and Taking Sick Days Due to Influenza-Like Illness Among U.S. Workers*, 36 *Vaccine* 7316 (2018).
- ⁷ Rest. Opportunities Ctrs. United, *Serving While Sick: High Risks & Low Benefits for the Nation's Restaurant Workforce, and Their Impact on the Consumer* (Sept. 30, 2010), http://rocunited.org/wp-content/uploads/2013/04/reports_serving-while-sick_full.pdf.
- ⁸ Steven Sumner et al., *Factors Associated with Food Workers Working While Experiencing Vomiting or Diarrhea*, 74 *J. Food Protection* 215 (2011), available at http://www.cdc.gov/nceh/ehs/ehsnet/Docs/JFP_ill_food_workers.pdf.
- ⁹ Tom W. Smith & Jibum Kim, *Paid Sick Days: Attitudes and Experiences*, Nat'l Opinion Res. Ctr. at U. of Chi. (June 2010), <https://www.issueab.org/resource/paid-sick-days-attitudes-and-experiences.html>.
- ¹⁰ LeaAnne DeRigne et al., *Paid Sick Leave and Preventive Health Care Service Use Among U.S. Working Adults*, 99 *Preventive Med.* 58 (2017); Lucy A. Peipins et al., *The Lack of Paid Sick Leave as a Barrier to Cancer Screening and Medical Care-Seeking: Results from the National Health Interview Survey*, *BMC Public Health* (2012), <http://www.biomedcentral.com/content/pdf/1471-2458-12-520.pdf>.
- ¹¹ Kevin Miller et al., *Paid Sick Days and Health: Cost Savings from Reduced Emergency Department Visits*, Inst. for Women's Pol'y Res. (Nov. 2011), <http://www.iwpr.org/publications/pubs/paid-sick-days-and-health-cost-savings-from-reduced-emergency-department-visits>.
- ¹² *Id.*
- ¹³ U.S. Bureau of Labor Statistics, *A Look at Pay at the Top, the Bottom, and In Between* (May 2015), <https://www.bls.gov/spotlight/2015/a-look-at-pay-at-the-top-the-bottom-and-in-between/pdf/a-look-at-pay-at-the-top-the-bottom-and-in-between.pdf>.
- ¹⁴ Rachel O'Connor et al., *Paid Sick Days Access Varies by Race/Ethnicity, Sexual Orientation, and Job Characteristics*, Inst. for Women's Pol'y Res. (July 2014), <https://iwpr.org/publications/paid-sick-days-access-varies-by-raceethnicity-sexual-orientation-and-job-characteristics/>.
- ¹⁵ *Id.*
- ¹⁶ *Id.*
- ¹⁷ *Id.*
- ¹⁸ Robert Drago & Kevin Miller, *Sick at Work: Infected Employees in the Workplace During the H1N1 Pandemic*, Inst. for Women's Pol'y Res. (Feb. 2010), <http://www.iwpr.org/publications/pubs/sick-at-work-infected-employees-in-the-workplace-during-the-h1n1-pandemic>.