

FREQUENTLY ASKED QUESTIONS

Healthy Workplaces, Healthy Families Act AB 1000 (Ma)



Q. When can workers start earning and using paid sick days under AB 1000?

A. An employee who works for an employer in California for seven days or more can earn paid sick days from the first day of employment and begin using their accrued sick days on the 90th day of employment.

Q. How do paid sick days accrue?

A. Workers accrue paid sick days at the rate of one hour for every 30 hours worked.

Q. Can paid sick days be carried over?

A. Yes, accrued paid sick days can be carried over to the following calendar year.

Q. Can small and large business employees use an equal number of paid sick days per year?

A. No. Employees of a small business (10 or fewer employees) may be limited to using 5 accrued sick days a year whereas all other employees can be limited to using 9 accrued sick days a year.

Q. When can workers use paid sick days?

A. Workers can use paid sick days for diagnosis, care or treatment of a personal illness or a family member's illness; preventive care; and services related to domestic violence or sexual assault.

Q. I already get paid sick days from my employer. How will AB 1000 protect my rights?

A. AB 1000 will protect workers who already accrue paid sick days because it prohibits employers from discriminating or retaliating against an employee for using a sick day. The law also offers workers protection against losing this important benefit if their employer decides to not offer paid sick days anymore or to reduce paid sick days below the standard set by AB 1000.

Q. Are housecleaners and domestic workers eligible to earn paid sick days under this law?

A. Paid sick days is a basic minimum labor standard and every employee who meets the eligibility requirements of AB 1000 earns paid sick days.

OVER...

FREQUENTLY ASKED QUESTIONS (contd.)

Healthy Workplaces, Healthy Families Act AB 1000 (Ma)



Q. Won't this law give workers an opportunity to misuse or abuse the benefit?

A. AB 1000 permits employers to take reasonable measures to verify or document that an employee's use of paid sick days is lawful. In fact, a recent study shows that on average workers use fewer than two days of paid sick time per year for their own medical needs (excluding maternity leave) and just one day of sick time per year for family care and doctor visits. The cost of employees showing up to work sick (presenteeism) is a significantly greater problem for employers than absenteeism.

Q. Our state is facing an economic crisis and a budgetary shortfall – why pass this law now?

A. During these tough economic times, it is more important than ever that California encourages good quality jobs for all workers in the state. Nearly 6 million workers in California lose pay and risk job loss when illness strikes. Any loss of income may lead to trade-offs between housing, food, healthcare and other essential needs. AB 1000 will benefit California's economy by saving businesses \$2.3 billion annually, mainly from reduced costs of turnover.

Q. Are undocumented workers covered by this law?

A. All workers employed by a California employer who meet the eligibility requirements of AB 1000 are covered by the law.

Q. How does paid sick days protect the public's health and businesses' bottom line?

A. When an employee is forced to work sick, businesses put their customers and other employees at risk. The result is the spread of infection to workers and the public, and a loss of profits for businesses. For example, a sick employee of a Blimpie sandwich shop who did not earn paid sick days spread a norovirus illness to over 100 customers. This outbreak led to a partial closure of the business, resulting in employee absences, additional pay for substitute workers, and loss of wages and revenue.

Q. Won't this law hurt small businesses the most?

A. No. This legislation will level the playing field for all businesses big and small. There are already many small businesses that offer paid sick days to their employees. Even in the smallest businesses with one to nine employees, 56% already provide paid sick days. In fact, most businesses that don't offer paid sick days are large retailers and chain food restaurants.

Q. Can unionized workers opt-out of the law?

A. Yes, unions may opt-out if their collective bargaining agreement meets specified conditions.