

Employment Protections Should be Consistent Across Maryland's Workforce

Position Statement in Opposition to Senate Bill 165

Given before the Senate Finance Committee

Maryland made great strides in 2018 when the General Assembly set basic standards that ensure most Marylanders have access to paid sick days. The Healthy Working Families Act provided paid sick days for about 488,000 Marylanders and extended important job protections to thousands of additional employees at small businesses.ⁱ Paid sick days are essential for working families, public health, and the economy. Taking these benefits away from substitute teachers would be especially misguided during a deadly pandemic. For these reasons, the Maryland Center on Economic Policy opposes Senate Bill 165.

Senate Bill 165 would narrow the scope of the Maryland Healthy Working Families Act by exempting substitute teachers from earning paid sick leave. Doing so would harm Maryland and lead to no material fiscal gain. Earned sick days promote public health. Workers with paid sick leave are more likely to receive preventive care that will lead to the early detection and treatment of illnesses.ⁱⁱ Cities and states that guarantee earned sick days have lower rates of flu infection. The reduced health care costs associated with paid sick leave (due to less contagious disease, less reliance on emergency rooms, and fewer short-term stays in nursing home) are expected to save Marylanders an estimated \$23 million each year. For both remote and in-person learning, earned sick days enable educators to do what is best for their students, their communities, and themselves.

Substitute teachers play an instrumental role in Maryland's education system. Despite this, they are typically among the lowest paid public workers in the state, often earning salaries barely above the minimum wage. Due to this, not only is it more difficult for them to prepare for the economic shock of a serious medical need, but they are among those most harmed by taking an unpaid day off. Without the state's requirement for earned sick days, substitute teachers will be far less likely than high-income earners to have access to paid sick time.ⁱⁱⁱ If Senate Bill 165 is implemented, we will be taking earned sick days from the Maryland workers who need it the most.

Guaranteeing access to paid sick days supports a vibrant and growing economy. MDCEP's prior analysis of paid sick leave proposals in Maryland has found that guaranteeing earned sick days saves Maryland employers up to \$13 million per year through improved productivity. On average, cities and states that passed earned sick days guarantees had equivalent or stronger job growth in comparison to the United States overall 12 months after implementation. A majority of business owners and executives support earned sick days, even when polled by anti-regulation political consultants.^{iv}

Employers in Maryland should be held to consistent standards under Maryland’s labor laws. Unequal policies can contribute to income inequality and wage gaps for marginalized groups within Maryland. While the current law does have different standards for smaller businesses, which are allowed to provide unpaid sick leave instead of paid sick leave, it is not reasonable to exempt substitute teachers from provisions of our labor laws.

For these reasons, the Maryland Center on Economic Policy respectfully requests that the Senate Budget and Tax Committee make an unfavorable report on Senate Bill 165.

Equity Impact Analysis: Senate Bill 165

Bill Summary

Senate Bill 165 would eliminate substitute teachers’ right to earn paid sick days under the Healthy Working Families Act of 2017.

Background

The Healthy Working Families Act of 2017 provided paid sick days for about 488,000 Marylanders and extended important job protections to thousands of additional employees at small businesses.^v

Research shows that workers with paid sick leave are more likely to receive preventive care that will lead to the early detection and treatment of illnesses.^{vi} Cities and states that guarantee earned sick days have lower rates of flu infection. The reduced health care costs associated with paid sick leave are expected to save Marylanders an estimated \$23 million each year.

Equity Implications

- Senate Bill 165 would take away protections from a disproportionately low-income group of education professionals. As of 2019, substitute teachers in Maryland took home \$40,900 per year on average, just over half of average earnings for other K-12 teachers.^{vii}
- Guaranteeing earned sick days improves racial equity. Before passage of the Healthy Working Families Act of 2017, 58 percent of Latinx workers in Maryland did not have paid sick days at their jobs, compared to only 37 percent of white workers.^{viii}

Impact

Senate Bill 165 would likely **worsen racial, gender, and economic inequity in Maryland.**

ⁱ Christopher Meyer, “A Strong Earned Sick Days Law Will Bring Major Benefits for Maryland Families and our Economy,” Maryland Center on Economic Policy, November 2017. <http://www.mdeconomy.org/sickleave/>

ⁱⁱ Jessica Milli, “Access to Paid Sick Time in Maryland,” Institute for Women’s Policy Research, January 2017, <https://iwpr.org/wp-content/uploads/2020/10/B364.pdf>

ⁱⁱⁱ Kendal Orgera and Samantha Artiga, “Disparities in Health and Health Care,” Kaiser Family Foundation, August 2018, <http://files.kff.org/attachment/Issue-Brief-Disparities-in-Health-and-Health-Care-Five-Key-Questions-and-Answers>

^{iv} “CMD PRWatch Markup of 01-05-16 State Chambers Topline Poll,” Luntz Global via PRWach, 2015, https://www.prwatch.org/files/cmd_prwatch_markup_of_01-05-16_state_chambers_topline_poll.pdf

^v Meyer, 2017

^{vi} Milli, 2017

^{vii} MDCEP analysis of 2019 Occupational Employment Statistics data.

^{viii} Milli, 2017