



## **Paid sick leave takes center stage in NYC**

By Elissa Elan **NEW YORK (Nov. 17, 2009)** Small business owners rallied on the steps of City Hall Tuesday to voice their opposition to a measure mandating paid sick leave for employees in New York City, one of several states and municipalities across the country weighing such legislation.

Employers argue that paid sick leave would increase operating expenses and further hamstring businesses already struggling in the down economy, leading to reduced economic and job growth.

If the measure passes, New York would become the third city behind San Francisco and Washington, D.C., to require businesses to offer paid sick leave to employees. Similar measures have been introduced in 15 states, including Connecticut, New Jersey, Maine and Ohio, although none have passed into law. At the federal level, the Healthy Families Act, which would provide up to seven days of paid sick leave, was introduced earlier this year in the House and Senate, and has garnered support from President Obama.

In New York, businesses gathered at City Hall to protest the proposed legislation, which is now under deliberation by the New York City Council and supported by about three-quarters of its 51 members.

“This bill is bad legislation for a good cause,” said Linda Barron, president of the Staten Island Chamber of Commerce. “Two-thirds of our business membership surveyed said they already allow a generous amount of paid sick days. Mandating paid time off would cost a minimum of \$2 billion to \$3 billion a year across all of the [New York] boroughs.”

The bill would require all New York City businesses with more than 10 workers to provide up to nine paid sick days for every employee, whether they work full- or part-time. Any business owner that does not adhere to the regulation would face a \$1,000 fine per violation, the bill proposes.

“We will be forced to reduce salaries, cut benefits and lay off employees,” Barron said. “Passage of this bill would force many of us to move to more affordable locations and hamper job creation in this city. It makes no sense.”

For the restaurant industry, enforcing paid sick leave would be fiscally challenging, especially for operators already seeing slowed sales that cannot cover increased costs, said Marc Murphy, chef-owner of New York City’s Anvil Group, which operates the upscale Landmarc and Ditch Plains restaurants.

“If this thing passes, with 320 employees it would cost me \$199,000 a year,” he said. “That’s a lot of money, even for me. It would hurt my business and maybe even cause me to have to close one of my smaller restaurants.”

Murphy said he’d rather take that money and spend it on his company’s growth with new locations, which he said would result in creating more jobs and helping landlords fill open spaces.

“I’d like to hire some more people, and there’s a lot of real estate available here in New York,” he said. “That \$199,000 is a lot of seed money with which to start a new business.”

According to Peter Hansen, Murphy’s director of operations, all of Anvil Group’s managers already get five sick days, five personal days and are entitled to one week of vacation after one year of employment. He said sick employees, especially now with the threat of Swine Flu so widespread, are “encouraged to stay home” when they are ill. “We have to stay very aware of the health department’s regulations and make sure to follow all rules that are set forth.”

On the day of the rally, Ricardo Copantitla, a restaurant worker and member of the Restaurant Opportunities Center of New York, or ROC-NY, said in a prepared statement that he felt he had to work even when sick because he was not entitled to paid sick leave. He supports the proposed legislation.

“The restaurant said you have to come to work because [we’re] short of people,” he said. “I had a bad cough and felt tired and terrible, but I went to work because I feared being fired.”

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