

LEGISLATIVE COMMITTEE MINUTES

SB67

Bill as Introduced

SB 67 - AS INTRODUCED

2021 SESSION

21-1056
04/06

SENATE BILL

67

AN ACT

relative to paid sick leave.

SPONSORS:

Sen. Whitley, Dist 15; Sen. Perkins Kwoka, Dist 21; Sen. Rosenwald, Dist 13; Sen. Watters, Dist 4; Sen. Prentiss, Dist 5; Sen. D'Allesandro, Dist 20; Sen. Sherman, Dist 24; Sen. Soucy, Dist 18; Rep. McWilliams, Merr. 27; Rep. Schultz, Merr. 18; Rep. Wazir, Merr. 17

COMMITTEE:

Commerce

ANALYSIS

This bill establishes a paid sick leave program.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through~~].

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

AN ACT relative to paid sick leave.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Findings. The general court finds that ensuring working people have access to paid sick leave
2 will help to protect the public's health by minimizing the spread of contagious illnesses in the
3 workplace and ensure working people and their families can address their own health and safety
4 needs. The general court further finds that enabling workers paid sick leave to seek early and
5 routine medical care for themselves and their family members diminishes public and private health
6 care costs in New Hampshire and prevents disruptions to commerce in the event of a public health
7 emergency. The general court seeks to safeguard the public welfare, health, safety, and prosperity of
8 the people of and visitors to New Hampshire by ensuring all individuals employed in the state of
9 New Hampshire are able to earn paid sick leave.

10 2 New Chapter; Paid Sick Leave for Employees. Amend RSA by inserting after chapter 275-H
11 the following new chapter:

CHAPTER 275-I

PAID SICK LEAVE FOR EMPLOYEES

12 275-I:1 Definitions. In this chapter:

- 13 I. "Commissioner" means the commissioner of the department of labor.
14 II. "Department" means the department of labor.
15 III. "Domestic violence" means "domestic violence" as defined in RSA 173-B:1, I.
16 IV. "Employee" means "employee" as defined in RSA 279:1, X and includes recipients of
17 public benefits who are engaged in work activity as a condition of receiving public assistance.
18 V. "Employer" means "employer" as defined in RSA 279:1, XI.
19 VI. "Family member" means:
20 (a) A biological, adopted or foster child, stepchild or legal ward, a child of a domestic
21 partner, or a child to whom the employee stands in loco parentis.
22 (b) A biological, foster, stepparent, or adoptive parent, or legal guardian of an employee
23 or an employee's spouse or domestic partner or a person who stood in loco parentis when the
24 employee was a minor child.
25 (c) A person to whom the employee is legally married under the laws of New Hampshire.
26 (d) A grandparent or spouse or domestic partner of a grandparent
27 (e) A grandchild.
28 (f) A biological, foster, or adopted sibling or spouse, or domestic partner of a biological,
29 foster, or adopted sibling.
30
31

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1 VII. "Health care professional" means any person licensed under federal or state law to
2 provide medical or emergency services, including doctors, nurses, and emergency room personnel.

3 VIII. "Paid sick leave" means time that is compensated at the same hourly rate and with the
4 same benefits, including health care benefits, as the employee normally earns during hours worked
5 and is provided by an employer to an employee for the purposes described in RSA 275-I:3.

6 IX. "Retaliatory personnel action" means the discharge, suspension, or demotion by an
7 employer of an employee or any other adverse action taken by an employer against an employee and
8 also includes any sanctions against a recipient of public benefits.

9 X. "Sexual assault" means "sexual assault" as defined in RSA 632-A.

10 XI. "Stalking" means "stalking" as defined as in RSA 633:3-a.

11 XII. "Public health emergency" means a declaration or proclamation related to a public
12 health threat, risk, disaster or emergency that is made or issued by a federal, state or local official
13 with the authority to make or issue such a declaration.

14 275-I:2 Accrual of Paid Sick Leave.

15 I. All full or part-time employees who work in New Hampshire shall receive paid sick leave
16 as provided in this chapter. Employees shall begin to accrue sick leave upon being hired.

17 II. Employees shall accrue a minimum of one hour of paid sick leave for every 30 hours
18 worked.

19 III. Employees shall not accrue or use more than 72 hours of paid sick leave in a calendar
20 year, unless the employer selects a higher limit.

21 IV. Employees who are exempt from overtime requirements under 29 U.S.C. section
22 213(a)(1) of the Federal Fair Labor Standards Act will be assumed to work 40 hours in each work
23 week for purposes of paid sick leave accrual unless their normal work week is less than 40 hours, in
24 which case paid sick leave accrues based upon that normal work week.

25 V. Paid sick leave as provided in this section shall begin to accrue at the commencement of
26 employment or on the date this law goes into effect, whichever is later. Employees may use paid sick
27 leave as it is accrued.

28 VI. Employers shall allow employees to carry over paid sick leave to the following calendar
29 year.

30 VII. Any employer with a paid time off policy who makes available an amount of paid time
31 off sufficient to meet the requirements of this chapter and which may be used for the same purposes
32 and under the same conditions as paid sick leave under this chapter shall not be required to provide
33 additional paid sick leave.

34 VIII. Nothing in this chapter shall be construed as requiring financial or other
35 reimbursement to an employee from an employer upon the employee's termination, resignation,
36 retirement, or other separation from employment for accrued paid sick leave that has not been used.

1 IX. Upon separation from employment, if the employee is rehired within 12 months of
2 separation by the same employer, previously accrued paid sick leave that had not been used shall be
3 reinstated. If an employee is transferred to another entity, division, or location but remains
4 employed by the same employer the employee is entitled to all paid sick leave accrued with the
5 employer in the previous entity, division, or location.

6 X. Employers may advance sick leave to an employee ahead of accrual by such employee.

7 275-I:3 Use of Paid Sick Leave.

8 I. Paid sick leave shall be provided to an employee by an employer for:

9 (a) An employee's mental or physical illness, injury, or health condition, an employee's
10 need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health
11 condition, or an employee's need for preventive medical care.

12 (b) Care of a family member with a mental or physical illness, injury, or health
13 condition, care of a family member who needs medical diagnosis, care, or treatment of a mental or
14 physical illness, injury, or health condition, or care of a family member who needs preventive
15 medical care.

16 (c) Closure of the employee's place of business by order of a public official due to a public
17 health emergency or an employee's need to care for a child whose school or place of care has been
18 closed by order of a public official due to a public health emergency, or care for oneself or a family
19 member when it has been determined by the health authorities having jurisdiction or by a health
20 care provider that the employee's or family member's presence in the community may jeopardize the
21 health of others because of his or her exposure to a communicable disease, whether or not the
22 employee or family member has actually contracted the communicable disease; or

23 (d) Absence necessary due to domestic violence, sexual assault, or stalking, provided the
24 leave is to:

25 (1) Seek medical attention for the employee or employee's family member to recover
26 from physical or psychological injury or disability caused by domestic or sexual violence.

27 (2) Obtain services from a victim services organization.

28 (3) Obtain psychological or other counseling.

29
30 (4) Seek relocation due to the domestic or sexual violence or stalking.

31 (5) Take legal action, including preparing for or participating in any civil or criminal
32 legal proceeding related to or resulting from the domestic or sexual violence.

33 II. Paid sick leave shall be provided upon the oral request of an employee. When possible,
34 the request shall include the expected duration of the absence.

35 III. When the use of paid sick leave is foreseeable, the employee shall make a good faith
36 effort to provide notice of the need for such leave to the employer in advance of the use of the leave

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1 and shall make a reasonable effort to schedule the use of paid sick leave in a manner that does not
2 unduly disrupt the operations of the employer.

3 IV. Accrued sick leave may be used in the smaller of hourly increments or the smallest
4 increment that the employer's payroll system uses to account for absences or use of other time.

5 275-I:4 Exercise of Rights Protected.

6 I. No employer or any other person shall interfere with, restrain, deny the exercise of, or
7 deny the attempt to exercise, any right protected under this chapter:

8 II. No employer shall take retaliatory personnel action or discriminate against an employee
9 because the employee has exercised rights protected under this chapter.

10 III. No employer shall count paid sick leave taken under this chapter as an absence that
11 may lead to or result in discipline, discharge, demotion, suspension, or any other adverse action.

12 IV. This chapter shall apply to any person who mistakenly, but in good faith, alleges
13 violations of this section.

14 V. There shall be a rebuttable presumption of unlawful retaliation under this chapter
15 whenever an employer takes adverse action against an employee or former employee within 90 days
16 of when that employee or former employee:

17 (a) Files a complaint with the department or a court alleging a violation of any provision
18 of this section.

19 (b) Informs any person about an employer's alleged violation of this section.

20 (c) Cooperates with the department or other persons in the investigation or prosecution
21 of any alleged violation of this section.

22 (d) Opposes any policy, practice, or act that is unlawful under this section.

23 (e) Informs any person of his or her rights under this section.

24 275-I:5 Notice and Posting.

25 I. Employers shall give notice that employees are entitled to paid sick leave, the amount of
26 paid sick leave, and the terms of its use guaranteed under this chapter, that retaliation against
27 employees who request or use paid sick leave is prohibited, and that each employee has the right to
28 file a complaint or bring a civil action if sick leave as required by this section is denied by the
29 employer or the employee is retaliated against for requesting or taking paid sick leave.

30 II. Employers shall provide each of their employees with a notice in English and in any
31 language that is the first language spoken by at least 5 percent of the employer's workforce that
32 contains the information required in paragraph I.

33 III. Employers shall display a poster in a conspicuous and accessible place in each
34 establishment where such employees are employed which contains in English and in any language
35 that is the first language spoken by at least 5 percent of the employer's workforce, all information
36 required under paragraph I.

1 IV. The department shall create and make available to employers posters that contain the
2 information required under paragraph I.

3 V. An employer who willfully violates the notice and posting requirements of this section
4 shall be subject to a civil fine in an amount not to exceed \$100 for each separate offense.

5 275-I:6 Employer Records. Employers shall retain records that document the hours worked by
6 employees and paid sick leave taken by employees, for a period of 5 years, and shall allow the
7 department access to such records, with appropriate notice and at a mutually agreeable time, to
8 monitor compliance with the requirements of this chapter. If the employer does not maintain or
9 retain adequate records documenting hours worked by the employee and paid sick leave taken by the
10 employee, or does not allow the department reasonable access to such records, it shall be presumed
11 that the employer has violated the chapter, absent clear and convincing evidence otherwise.

12 275-I:7 Regulations.

13 I. The commissioner shall adopt rules, pursuant to RSA 541-A, relative to the forms,
14 procedures, implementation, and enforcement of this chapter.

15 II. The commissioner shall coordinate implementation and enforcement of this chapter.

16 275-I:8 Enforcement.

17 I. The department shall enforce the provisions of this chapter. In effectuating such
18 enforcement, the department shall establish a system utilizing multiple means of communication to
19 receive complaints regarding non-compliance with this chapter and investigate complaints received
20 by the department in a timely manner. The department shall encourage reporting pursuant to this
21 section by protecting the confidentiality of, to the maximum extent permitted by applicable laws, the
22 name and other identifying information of the employee or person reporting the violation. However,
23 with the authorization of such person, the department may disclose his or her name and identifying
24 information as necessary to enforce this section or for other appropriate purposes.

25 II. Upon receiving a complaint alleging a violation of this chapter, the department shall
26 investigate such complaint and attempt to resolve it through mediation between the complainant
27 and the subject of the complaint, or other means. The department shall keep complainants notified
28 regarding the status of their complaint and any resultant investigation. If the department believes
29 that a violation has occurred, it shall issue to the offending person or entity a notice of violation and
30 the relief required of the offending person or entity. The department shall prescribe the form and
31 wording of such notices of violation including any method of appealing the decision of the
32 department.

33 III. The department shall have the power to impose penalties provided for in this chapter
34 and to grant an employee or former employee all appropriate relief. Any entity or person found to be
35 in violation of the provisions of this chapter shall be liable for a civil penalty payable to the state.

36 IV. The department, the attorney general, any person aggrieved by a violation of this
37 chapter, or any entity a member of which is aggrieved by a violation of this chapter may bring a civil

1 action in a court of competent jurisdiction against an employer violating this chapter. Such action
2 may be brought by a person aggrieved by a violation of this section without first filing an
3 administrative complaint.

4 V. Upon prevailing in an action brought pursuant to this section, aggrieved persons shall
5 recover the full amount of any unpaid earned sick time plus any actual damages suffered as the
6 result of the employer's violation of this chapter plus an equal amount of liquidated damages and
7 shall be entitled to such legal or equitable relief as may be appropriate to remedy the violation,
8 including, without limitation, reinstatement to employment, back pay, and injunctive relief.
9 Aggrieved persons shall also be entitled to reasonable attorney's fees.

10 VI. The statute of limitations for a civil action brought pursuant to this section shall be for a
11 period of 3 years from the date the alleged violation occurred or the date the employee knew or
12 should have known of the violation.

13 VII. Actions brought pursuant to this section may be brought as a class action pursuant to
14 the laws of New Hampshire.

15 275-I:9 Confidentiality and Nondisclosure. An employer shall not require disclosure of details
16 relating to domestic violence, sexual assault, or stalking or the details of an employee's medical
17 condition as a condition of providing paid sick leave under this chapter. If an employer possesses
18 health information or information pertaining to domestic violence, sexual assault, or stalking about
19 an employee or employee's family member, such information shall be treated as confidential and not
20 disclosed except to the affected employee or with the permission of the affected employee.

21 275-I:10 Statutory Minimum for Sick Leave Policies.

22 I. Nothing in this chapter shall be construed to discourage or prohibit an employer from the
23 adoption or retention of a paid sick leave policy which exceeds the requirements of this chapter.

24 II. Nothing in this chapter shall be construed as altering or diminishing the obligation of an
25 employer to comply, with any contract, collective bargaining agreement, employment benefit plan, or
26 other agreement providing more generous paid sick leave to an employee than required in this
27 chapter.

28 III. Nothing in this chapter shall be construed as diminishing the rights of public employees
29 regarding paid sick leave or use of sick leave as provided in any laws of the state of New Hampshire.

30 275-I:11 Other Legal Requirements. This chapter provides minimum requirements pertaining
31 to paid sick leave and shall not be construed to preempt, limit, or otherwise affect the applicability of
32 any other law, regulation, requirement, policy, standard, or collective bargaining agreement that
33 provides for greater accrual or use by employees of sick leave, whether paid or unpaid, or that
34 extends other protections to employees.

35 275-I:12 Severability. If any provision of this chapter or application thereof to any person or
36 circumstance is judged invalid, the invalidity shall not affect other provisions or applications of the

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- 1 chapter which can be given effect without the invalid provision or application, and to this end the
- 2 provisions of this chapter are declared severable.
- 3 3 Effective Date. This act shall take effect 60 days after its passage.

Committee Minutes

SENATE CALENDAR NOTICE

Commerce

Sen Harold French, Chair
Sen Bill Gannon, Vice Chair
Sen Jeb Bradley, Member
Sen Donna Soucy, Member
Sen Kevin Cavanaugh, Member

Date: March 9, 2021

HEARINGS

| Tuesday | 03/16/2021 | |
|---------------------|---------------|---|
| (Day) | (Date) | |
| Commerce | REMOTE 000 | 9:00 a.m. |
| (Name of Committee) | (Place) | (Time) |
| 9:00 a.m. | SB 138 | relative to consumer protections against profiteering in necessities. |
| 9:15 a.m. | | Hearing on proposed Amendment #0543s, relative to consumer protections against profiteering in necessities and relative to the definition of an "investment metal contract", to SB 138 , relative to consumer protections against profiteering in necessities. |
| 9:30 a.m. | SB 67 | relative to paid sick leave. |

Committee members will receive secure Zoom invitations via email.

Members of the public may attend using the following links:

1. Link to Zoom Webinar: <https://www.zoom.us/j/99575649210>
2. To listen via telephone: Dial (for higher quality, dial a number based on your current location): 1-301-715-8592, or 1-312-626-6799, or 1-646-558-8656, or 1-253-215-8782, or 1-346-248-7799, or 1-669-900-9128
3. Or iPhone one-tap: 13017158592,,99575649210#, or 13126266799,,99575649210#
4. Webinar ID: [995 7564 9210](https://www.zoom.us/j/99575649210)
5. To view/listen to this hearing on YouTube, use this link:
<https://www.youtube.com/channel/UCjBZdtriRnQdmg-2MPMiWrA>
6. To sign in to speak, register your position on a bill and/or submit testimony, use this link:
<http://gencourt.state.nh.us/remotecommittee/senate.aspx>

The following email will be monitored throughout the meeting by someone who can assist with and alert the committee to any technical issues: remotesenate@leg.state.nh.us or call (603-271-6931).

EXECUTIVE SESSION MAY FOLLOW

Sponsors:

SB 138

Sen. Sherman
Sen. Perkins Kwoka
Sen. Giuda
Rep. M. Pearson

Sen. D'Allesandro
Sen. Rosenwald
Sen. Hennessey

Sen. Gannon
Sen. Watters
Rep. Knirk

Sen. Carson
Sen. Bradley
Rep. Grote

SB 138

Sen. Sherman
Sen. Perkins Kwoka
Sen. Giuda
Rep. M. Pearson

Sen. D'Allesandro
Sen. Rosenwald
Sen. Hennessey

Sen. Gannon
Sen. Watters
Rep. Knirk

Sen. Carson
Sen. Bradley
Rep. Grote

SB 67

Sen. Whitley
Sen. Prentiss
Rep. McWilliams

Sen. Perkins Kwoka
Sen. D'Allesandro
Rep. Schultz

Sen. Rosenwald
Sen. Sherman
Rep. Wazir

Sen. Watters
Sen. Soucy

Aaron Jones 271-4063

Harold F. French
Chairman

Senate Commerce Committee

Aaron Jones 271-4063

SB 67, relative to paid sick leave.

Hearing Date: March 16, 2021

Time Opened: 10:12 a.m.

Time Closed: 11:46 a.m.

Members of the Committee Present: Senators French, Gannon, Bradley, Soucy and Cavanaugh

Members of the Committee Absent : None

Bill Analysis: This bill establishes a paid sick leave program.

Sponsors:

Sen. Whitley

Sen. Perkins Kwoka

Sen. Rosenwald

Sen. Watters

Sen. Prentiss

Sen. D'Allesandro

Sen. Sherman

Sen. Soucy

Rep. McWilliams

Rep. Schultz

Rep. Wazir

Who supports the bill: Please refer to sign-in sheets

Who opposes the bill: Aubrey Freedman, David Juvet (NH BIA), Sandra Stonebanks, Kevin Daigle (NH Grocers Association), David McConville, John Elliott, Ray Chadwick, Alvin See, Alan Bershtein, Alexandra Mennella, Curtis Barry (NH Retail Lumber Association), Cindy Kudlik, Elliot Axelman, Gary Abbott (Associated General Contractors of NH), Marianne Pitkin, Val Zanchuk (Graphicast, Inc.)

Who is neutral on the bill: No one

Summary of testimony presented in support:

Senator Becky Whitley

- At least 33 percent of private sector workers and 70 percent of the lowest wage earners don't receive paid sick days.
- Workers without paid sick leave must choose between their health and their financial security.
- Given the ongoing economic and public health crisis, paid sick leave is particularly important for working women.
- In the past year, women have lost more jobs, taken on more caregiving responsibilities, and represent a majority of essential frontline workers.

- This bill is an important workforce initiative that will help New Hampshire build a future focused economy.
- Paid sick leave will reduce employee turnover, increase productivity, help to build stronger relationships between employees and employers, and reduce the spread of diseases and illnesses both in the workplace and local communities.
- Ensuring workers and their families can seek routine and early medical care will diminish both public and private health care costs.
- **Senator Gannon** wondered where small businesses would get the money to pay for paid sick leave. Also, **Senator Gannon** wondered if workers between 20 and 40 years old would be subsidizing older workers and their families.
 - **Senator Whitley** said this is a basic economic issue because sick employees aren't good for employers or other employees.
- **Senator Gannon** said that most employers negotiate with employees; however, if an employee is out of sick leave time, then they might not be able to use vacation time. **Senator Gannon** asked if the government was intervening in an area that's between employees and employers.
 - **Senator Whitley** replied that small businesses do provide leave, but at least one-third of the private sector doesn't provide it at all. As a result, workers are left in a situation where they must choose between going to work sick or lose pay.

Representative Debra Altschiller

- If paid sick days are provided, the paychecks of survivors of domestic violence, sexual assault, and stalking will be protected.
- It might be necessary for a survivor to take time off from their job to receive medical care or support services, enact a safety plan to get away from their perpetrator, or to seek legal assistance. These absences would be permitted under Section 275-I:3, Part 1, (d) of the bill.
- As a volunteer crisis center advocate, Representative Altschiller once encountered a sexual assault victim who went to work directly after receiving a forensic exam and strong prophylactic drugs. The victim went to work because they couldn't afford to take any time off and paid sick leave wasn't allowed by their employer.
- According to a National Violence Against Women survey, U.S. women lose almost 8 million days of paid work each year as a result of intimate partner violence.
- Maintaining employment is often essential for an assault survivor to maintain financial stability while they're recovering from abuse.
- No victim in New Hampshire should have to choose between a paycheck and going to the hospital for a forensic medical exam, or having to go to court to get a restraining order, or having to meet with a family violence prevention specialist who can provide lifesaving services.
- This bill wouldn't necessarily provide someone with a full day off. Instead, a victim may take a few hours just to tend to themselves and come out of crisis.

- Representative Altschiller urged the Committee to keep in mind the thousands of survivors of assault when weighing the benefits of this bill.

Representative Maria Perez

- Representative Perez shared that she's a domestic violence survivor.
- When she was being abused, she couldn't afford to take time off to address legal or custody issues, which let her abuser take advantage of the situation.
- Representative Perez said she wished she had had paid leave when she was going through this difficult situation.
- Also, Representative Perez suffers from Lyme disease and there are times when she cannot get out of bed. Unfortunately, when her husband takes time off to care for her, he has to go without pay.
- Representative Perez encouraged the Committee to adopt this bill to ensure victims can take time off and receive the help they need.
- There are temporary workers that are hired throughout the state that don't receive sick time, holidays, or any other benefits.
 - For example, Representative Perez's husband is a temporary worker and he recently got into a car accident. Despite the accident, he had to go to work because he couldn't afford going without pay.

Jonathan Weinberg

- By 2030, the New Hampshire State Plan on Aging has estimated that one-third of New Hampshire's population will be over 65. Consequently, New Hampshire must do more to attract younger workers and families.
- Since paid leave is left to an employer's discretion in New Hampshire, young workers are choosing to reside in states that provide better environments for working and raising a family.

Lidia Yen

- At the beginning of the year, Ms. Yen and her family contracted COVID-19. During that time, Ms. Yen was the only person to have paid sick leave, which allowed her to pay her family's bills.
- Ms. Yen said her mother is disabled now, but when she was employed she couldn't financially afford to take a break. If paid sick leave had been provided to her mother, Ms. Yen said that she might not be incapacitated now.
- Reiterating previous speakers, Ms. Yen said that workers shouldn't have to choose between losing money and injuring themselves in order to provide for their family.

Deborah Nelson

- Ms. Nelson hoped the Committee would work with all businesses to help them see the benefits of this legislation.
- Often times, injuries or illnesses aren't planned.

- For example, Ms. Nelson herniated a disc in her back. As a teacher, she was able to take sick leave to let the pain subside and to allow her to recover from surgery.
- Unfortunately, not every worker is able to take time off without losing pay to take care of a sick child or parent, or even recover from an illness or surgery.
- Given the pandemic, it's important for those who are working in retail, grocery stores, restaurants, or small businesses to stay home when they're contagious.
- Ms. Nelson said that the Committee should consider the greater good as well as govern for the many, not for the privileged few.

Leah Cohen

- In the food industry, a worker might lose shifts or their job if they don't show up regardless of whether they're sick or not.
- Without paid leave, people will still risk themselves and their coworkers by spreading illnesses, even after the pandemic has subsided.
- Women and low wage earners have disproportionately been affected by the pandemic. Despite this, they're still expected to take care of their families.
- Ms. Cohen said that paid family leave isn't a luxury, it's a necessity.
- In states, such as California, paid leave has benefited small businesses by creating more opportunities, increasing recruitment, and helping to maintain a strong and effective workforce.
- Ms. Cohen urged the Committee to pass this bill because it will help New Hampshire thrive.
- **Senator Gannon** said he has seen evidence that paid family leave is beneficial for small businesses, but he wondered if it should be a business's choice to decide whether this would profit them or not.
 - **Ms. Cohen** replied yes, but she would love to live in a world where every employer chose to treat their workers equitably. While New Hampshire has an ethos around letting people make their own decisions, Ms. Cohen believed that the government has a role to protect vulnerable people from corruption. From her personal experience, she had no options when she worked as a waitress, but she wished the government held her employer accountable.

Paula Garvey

- Ms. Garvey's daughter has cystic fibrosis and rheumatoid arthritis, which both require frequent hospitalizations, surgeries, and follow up visits.
- Ms. Garvey and her husband have had to balance work and taking time off to be available for their daughter when she experiences health issues. Ms. Garvey said they're privileged to both have access to paid family leave.
- This bill would reduce the pressures faced by those who have chronic health conditions.
- Parents and caregivers of children with chronic illnesses must attend frequent appointments.

- For example, Ms. Garvey's daughter requires doctor visits every three months, which are always during the work week. While telehealth has helped, difficulties still remain for many.
- Currently, Ms. Garvey's daughter works in retail and her employer has provided her with flexibility. However, given New Hampshire's attitude towards paid leave, Ms. Garvey doesn't believe her daughter will be able to stay in this state.
- **Senator French** asked if \$2,100 a year would make a difference in people's lives.
 - **Ms. Garvey** said there are a lot of families that are living paycheck to paycheck. Ms. Garvey said she was privileged because her husband has access to health insurance and paid family medical leave; however, this might not be the case for the more than 200 people that have cystic fibrosis in New Hampshire.

Lois Cote

- In the 1990s, Ms. Cote joined a small business that offered medical insurance, sick days, and a flexible schedule to allow her to attend school.
- While this happened 25 years ago, Ms. Cote said that it proved that small businesses could thrive and provide sick pay to their employees.

Molly Lunn Owen

- Last year, Ms. Owen got sick while she was 8 months pregnant. Unlike most parents in New Hampshire, she said she was lucky enough to work for an organization that offered paid leave.
- If she had gotten sick while at her previous job, she would have had no maternity days to use.
- Ms. Owen said she's a spouse of a navy reservist, and she didn't know what she'd do if she couldn't take sick time while her husband is deployed.

Dr. Atty Moriarty, on behalf of the New Hampshire Medical Society

- Dr. Moriarty said that paid sick days do help workers.
 - For example, 21 percent of those who have less than \$250 in their savings account are likely to miss a housing payment. Only 15 percent are likely to miss a payment if they have more than \$250 in their savings. It might only take one unpaid sick day for someone to lose their housing.
- As a physician, Dr. Moriarty has seen families struggle to make appointments that are necessary for their children.
- Paid time off is important for everyone, not just parents.
- As others have mentioned, those in the lowest wage quartiles don't have access to paid leave.
- The statistics, according to Dr. Moriarty, actually favor small businesses because they make money by not having to train and recruit new employees.

Raye Ellen Douville

- Mr. Douville's daughter has type 1 diabetes, which has required multiple hospital visits.
- Parents with children that have serious medical illnesses face economic stresses, particularly by having to choose between caring for their child or staying employed.
- Mr. Douville said that it shouldn't be only good employers providing workers and their families with necessary and potentially lifesaving paid leave.
- In essence, this bill would act like an insurance program by sharing risk and ensuring that people can get through tough moments in their lives.

Sheila Oranch

- In the past, Ms. Oranch lost a job for needing time off for medical appointments. At the time, there was nothing in place to protect her from losing her job or helping her to get an equivalent job upon her return to work.
- Ms. Oranch said it isn't a handout when people are provided with a safety net that can give them a boost.
- To address Senator French's earlier question, \$2,000 can have a big difference in someone's life. For example, if Ms. Oranch had that money, she wouldn't have lost her health insurance for 6 years.
- Ms. Oranch said this bill might not be perfect, but it was important for New Hampshire to have a family friendly economy.
- Even if this bill were passed, it could be tweaked later on to address any problems. Ms. Oranch urged the Committee to help keep young families productive and healthy.

Gale Taylor

- Ms. Taylor worked at IBM until she was laid off in 2009. While IBM had good benefits, those benefits weren't nearly as good as those provided to the previous generation.
- Currently, the younger generation has even fewer benefits. Ms. Taylor said her children have jobs that don't provide paid sick leave.
- As baby boomers grow older, Ms. Taylor said it will be necessary for their children to take time off from their jobs to take care of them.
- Ms. Taylor concluded that this legislation should be considered the cost of doing business in the state.

Jennifer Frizzell, New Hampshire Women's Foundation

- The pandemic has exacerbated the already disproportionate burden placed on working and lower income women.
- Recently, the New Hampshire Women's Foundation examined the disproportionate impact that the COVID-19 pandemic has had on women.

- In New Hampshire, 68 percent of women work in industries that have been deemed essential.
- Additionally, women are more likely to contract and die from COVID-19 than their male counterparts.
- Women are four times more likely to leave the workforce or have their employment disrupted by childcare, remote learning, or being forced to choose between taking care of themselves or their family's health and wellbeing.
- Along with providing childcare opportunities, this bill would make the difference in whether women could return to full employment.
- In late January 2021, according to Employment Security, employment among men has almost reached its pre-pandemic levels. In contrast, employment among women is still 2 percent lower.
- According to Ms. Frizzell, the best economic stimulus going into the next year will be women rejoining the workforce at the same level they were pre-pandemic.
- Currently, the workers who are most in need of sick leave are women between 25 and 34 years old and those between 35 and 45 years old. Women in these age categories are the most effected because it's when they have young children and/or maternity health issues.
- The Boston Federal Reserve has estimated that working mothers are at risk of being set back by at least a decade in their careers as a result of their caregiving responsibilities.
- In New Hampshire, about 70 percent of women between 25 and 34 years old are reevaluating their career goals because the economy and caregiving isn't well built here.
- Ms. Frizzell concluded that the question that should be asked is what role does the government have in addressing chronic and persistent disparities in the labor market that negatively affect half of the population.

Cody Jacobsen, Director of Campaign Operations, Campaign for a Family Friendly Economy

- This bill would ensure that people who work and rely on their income to pay bills can make ends meet if they're out of work for a day, a few days, or more.
- Currently, part time and lower wage workers don't have equal access to paid sick leave.
- Those who don't have access to paid sick leave are most likely to be over the age of 20 (88 percent), make less than \$14 an hour, have children (33 percent), earn at least half of their family's income, and twice as likely to report to work when they're ill.
- For the average family, 3 unpaid days is equal to the cost of groceries for an entire month. If families cannot afford groceries, then they're more likely to turn to government for assistance.

- Mr. Jacobsen said that a lot of states with sick leave policies have helped drive down contagious illnesses. He said that everyone gets sick, and they deserve the right to get better.

Ted Jankowski

- In Massachusetts, after the implementation of paid sick leave, Mr. Jankowski heard from at least two lobbyists that businesses saved money because they didn't have to retrain people.
- Mr. Jankowski said frontline workers include more than just medical workers.
- A majority of those who have been working throughout the pandemic, such as workers in grocery stores, don't get paid for sick days.
- This bill would provide a basic right that all neighboring states provide to their workers.

Representative Manny Espitia

- Representative Espitia said this bill is an urgent need for communities across the state.
- Some workers have had to make the decision to go to work or not pay their rent, which has raised concerns over potential homelessness.
- There's both a physical and mental aspect to paid sick leave. Representative Espitia said that mental health is being treated more seriously and the stigma around taking sick time to address it has decreased.
- As mentioned by previous speakers, \$2,000 is a significant amount of money, especially for those who are living paycheck to paycheck.

Martin Toe

- Mr. Toe said that sick leave is critical, and lawmakers must protect the people under their jurisdiction.
- Mr. Toe knows many people who have committed suicide in his community because there was no one around to help them.
- Healthier people are more productive and provide better services.
- If people aren't in a healthy space, then it can't be expected that they will spend money.

Asma Elhuni, Movement Politics Director, Rights & Democracy

- As previously mentioned, a majority of vital workers don't have access to paid sick leave.
- Consequently, these workers are going to work, despite having contagious illnesses, which effects everyone in their community.
- This bill is in the interest of small businesses to prevent workers from getting each other sick. As more workers are sick, the smaller the workforce will become in that one business.

- Ms. Elhuni urged the Committee to think of those who are surviving paycheck to paycheck who cannot take sick leave without being left unable to afford groceries, or health care expenses, or transportation.

Nathaniel Nichols

- Mr. Nichols said that allowing people to stay home when they're contagious will be better for New Hampshire's economy in the long run.

MK Kilcoyne

- MK has always worked in the food industry where paid leave isn't provided.
- Once one person got sick in a kitchen, it was often the case that the entire crew would get sick.
- Typically, someone in the culinary industry must work full time for 6 months to a year before they're eligible for health insurance.
- MK has a compromised immune system due to cancer, which has resulted in illnesses.
- If paid sick leave were available, MK could have taken the time to get better and healthier, while remaining employed.

Ian Staubs

- Mr. Staubs asked the Committee to care about the people who are in need in New Hampshire.

Summary of testimony presented in opposition:

David Juvet, Senior Vice President, New Hampshire Business & Industry Association

- Employers already understand the importance of providing paid sick time.
- Many businesses refer to paid sick time as personal time because there are a lot of reasons people need to take time away from work.
- Employers will offer personal time to their employees if they have the financial ability to. However, this bill would treat all employers as financially solvent and able to offer this benefit.
- Mr. Juvet asked the Committee to resist the temptation to tell private sector employers what benefits they should or shouldn't provide to their employees, especially at a time when the labor market is tight.
- Mr. Juvet reiterated that employers are in the best position to develop benefits that attract and retain employees.
- **Senator French** asked if this leave would be in addition to the personal time offered by some companies.
 - **Mr. Juvet** responded that he wasn't sure, but he thought if a company could demonstrate their benefit was more than what the legislation provided for, then their benefit would be sufficient.

- **Senator Whitley** said that a statutory minimum is established on page 6, line 21. Nothing in that section would prohibit or discourage an employer from exceeding the established requirement.
- **Senator French** asked what the minimum number of hours per year would be.
 - **Senator Whitley** said that paid sick leave accrual is discussed on page 2, line 14.

Aubrey Freedman

- This bill is anti-small business because it would mandate smaller companies to provide a benefit that they can't afford.
- Unlike smaller businesses, larger companies have more employees that can provide coverage when someone is sick.
- If passed, this bill would add an additional expense to small businesses at a time when they're recovering from the pandemic.
- If small businesses are forced to provide this benefit, then hours of operation might be reduced, employee hours might be cut, employees might be laid off, or the business might be closed permanently.
- From a public health perspective, Mr. Freedman said it made sense that businesses wouldn't want sick people spreading germs; however, it didn't make sense to treat everyone the same.
 - For example, there are employees who can take time off because they aren't forced to provide for their family.
 - Also, some employees work remotely, so if they're sick, they can just work from their computers at home.
- While not ideal, Mr. Freedman said that having a job without sick leave benefits was better than no job at all. If small businesses were to close, then unemployment will increase, which isn't good for the public or employers.

Neutral Information Presented: None

Speakers

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| <u>Name</u> | <u>Email Address</u> | <u>Phone</u> | <u>Representing</u> | <u>Position</u> | <u>Testifying</u> |
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| Yen Lidia | lyen@afsc.org | 603.224.0741 | Myself | Support | Yes |
| Nelson Deborah | dbaconnelson@gmail.com | 603.359.2306 | Myself | Support | Yes |
| Jankowski Thaddeus | thaddeusjj@gmail.com | 207.650.6428 | Myself | Support | Yes |
| Weinberg Jonathan | Not Given | Not Given | Myself | Support | Yes |
| Perkins Kwoka Senator Rebecca | rebecca.perkinskwoka@leg.state.nh.us | 603-271-2104 | Myself (SD 21) | Support | Yes |
| Freedman Aubrey | aubreyyfreedman@gmail.com | 603-520-9464 | Myself | Oppose | Yes |
| Juvet David | djuvet@biaofnh.com | 603-731-7756 | Business & Industry Association | Oppose | Yes |
| Cohen Leah | leah@granitestateprogress.org | 650.863.7443 | Myself | Support | Yes |
| Garvey Paula | pgarvey10@gmail.com | 16038010293 | Myself | Support | Yes |
| Cote Lois | lcote06@outlook.com | 16036275445 | Myself | Support | Yes |
| Jankowski Ted | thaddeusjj@gmail.com | 207.650.6428 | Myself | Support | Yes |
| Lunn Owen Molly | molly.lunn.owen@gmail.com | 781.789.1168 | Myself | Support | Yes |
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| Padmore Michael | michael.padmore@nhms.org | 603.858.4744 | NH Medical Society | Support | No |
| Feltes Dan | danfettes@gmail.com | Not Given | Myself | Support | No |
| McConville David | dmc2015@comcast.net | 603.801.0187 | Myself | Oppose | No |
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| Blaney John | jackb1@comcast.net | 19784797304 | Myself | Support | No |
| Elliott John | john@AllyUSTrading.com | 603.233.6953 | Myself | Oppose | No |
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| Berend Cynthia | Not Given | Not Given | Myself | Support | No |
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| Hampe June | Not Given | Not Given | Myself | Support | No |

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| Weinberg Sara | Not Given | Not Given | Myself | Support | No |
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| Thomas Sally | Not Given | Not Given | Myself | Support | No |
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| Zaenglein Barbara | Not Given | Not Given | Myself | Support | No |
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| Josephson Tim | josephsonth@gmail.com | 802.299.9082 | Myself | Support | No |
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| Cohen C. Alexander | sascha2@aol.com | Not Given | Myself | Support | No |
| Clark Martha | mctraveler1@comcast.net | Not Given | Myself | Support | No |
| Meletis Maureen | mmeletis22@gmail.com | 603.548.7217 | Myself | Support | No |
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| Grassie Anne | rccag@metrocast.net | 16039235829 | Myself | Support | No |
| McKibbin Kate | Kmckibbin@comcast.net | Not Given | Myself | Support | No |
| Davis Tod | todc.18@gmail.com | 603.864.0169 | Myself | Support | No |
| Farr Debbie | Not Given | Not Given | Myself | Support | No |
| Heller David | deh03766@yahoo.com | Not Given | Myself | Support | No |
| Barry Curtis | curtis@barrygr.com | 603 496 4564 | NH Retail Lumber Association (building materials suppliers) | Oppose | No |
| Lukaszewicz Debby | devoid_2@hotmail.com | Not Given | Myself | Support | No |
| Hatcher Phil | phil.hatcher@gmail.com | 603.988.8034 | Myself | Support | No |
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| Chittidi Maitri | Not Given | Not Given | Myself | Support | No |
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| Clafin Kyri | Not Given | Not Given | Myself | Support | No |
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| Markus Amy | Not Given | Not Given | Myself | Support | No |
| Bockley Wes | Not Given | Not Given | Myself | Support | No |
| Long Julian | julianleelong@yahoo.com | 603.767.1953 | Myself | Support | No |
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| Hope Lucinda | lmhope46@gmail.com | Not Given | Myself | Support | No |
| Schaffer Jan | Janetschaffer06@gmail.com | Not Given | Myself | Support | No |
| Kudlik Cindy | cindykudlik@protonmail.com | Not Given | Myself | Oppose | No |
| Affeldt Rosemary | rosemary.affeldt@comcast.net | 603.632.4934 | Myself | Support | No |
| Miller Christine | Miller5529@comcast.net | 603.753.2385 | Myself | Support | No |
| DeMark Richard | demarknh114@gmail.com | 603.520.5582 | Myself | Support | No |
| Bruce Susan | susanb.red@mac.com | 603.730.7078 | Myself | Support | No |
| FRIEDRICH ED | erfriedrich@yahoo.com | 781.775.9397 | Myself | Support | No |
| Willing Maura | Maura.Willing@Comcast.net | Not Given | Myself | Support | No |
| Lewandowski Jean | jlewando@hotmail.com | Not Given | Myself | Support | No |
| Larson Ruth | ruthlarson@msn.com | Not Given | Myself | Support | No |
| Heath Ruth | ruthmheath@comcast.net | 603.783.4401 | Myself | Support | No |

Commerce Committee Testify List for Bill SB67 on 2021-03-16

Support: 225 Oppose: 16 Neutral: 0 Total to Testify: 23

| <u>Name</u> | <u>Email Address</u> | <u>Phone</u> | <u>Representing</u> | <u>Position</u> | <u>Testifying</u> |
|---------------------|---------------------------------|--------------|--------------------------------------|-----------------|-------------------|
| Torpey Jeanne | Not Given | Not Given | Myself | Support | No |
| Stoddard Kristine | kstoddard@bistatepca.org | Not Given | Bi-State Primary Care Association | Support | No |
| Bates David | dbates3@yahoo.com | 603.748.2668 | Myself | Support | No |
| Ladd Nancy | Not Given | Not Given | Myself | Support | No |
| Damon Claudia | cordsdamon@gmail.com | 603.226.4561 | Myself | Support | No |
| Ruth Perencevich | Not Given | Not Given | Myself | Support | No |
| Clark Denise | denise.m.clark03055@gmail.com | 603.213.1692 | Myself | Support | No |
| Casino Joanne | joannecasino@comcast.net | 603.746.3491 | Myself | Support | No |
| Bauer Dorothy | dottiebauer@gmail.com | Not Given | Myself | Support | No |
| Kusch Dan | Not Given | Not Given | Myself | Support | No |
| Feder Marsha | marshafeder@gmail.com | 603.860.8743 | Myself | Support | No |
| Spielman Kathy | jspielman@comcast.net | 603.397.7879 | Myself | Support | No |
| Corell Elizabeth | Elizabeth.j.corell@gmail.com | 603.545.9091 | Myself | Support | No |
| Smith Jennifer | jaycmd7699@gmail.com | 603.738.6221 | Myself | Support | No |
| Blanchard Sandra | sandyblanchard3@gmail.com | 603.724.3768 | Myself | Support | No |
| Reed Barbara | moragmcp83@outlook.com | 603.352.5015 | Myself | Support | No |
| McNamee Brigid | brigidmcnamee@yahoo.com | 603.223.0139 | Myself | Support | No |
| Cook Richard | r_cook@mcttelecom.com | 603.748.0977 | Myself | Support | No |
| Rankin Don | diggindawgsgw@gmail.com | 603.732.2783 | Myself | Support | No |
| Sherman Senator Tom | jennifer.horgan@leg.state.nh.us | 271-7875 | SD24 | Support | No |
| Newton Jay | Jjnewt@gmail.com | 508.254.1286 | Myself | Support | No |
| Axelman Elliot | aluaxelman@gmail.com | 732.674.2355 | Myself | Oppose | No |
| Abbott Gary | gabbott@agcnh.org | 603.225.2701 | Associated General Contractors of NH | Oppose | No |
| Keeler Margaret | peg5keeler@gmail.com | 603-491-4689 | Myself | Support | No |
| Jakubowski Deborah | Not Given | Not Given | Myself | Support | No |
| jakubowski dennis | dendeb146@gmail.com | 603.496.5749 | Myself | Support | No |
| Garland Ann | annhgarland@gmail.com | 603.678.8143 | Myself | Support | No |
| Davis Johnna | jdavis@metrocast.net | Not Given | Myself | Support | No |

Commerce Committee Testify List for Bill SB67 on 2021-03-16

Support: 225 Oppose: 16 Neutral: 0 Total to Testify: 23

| <u>Name</u> | <u>Email Address</u> | <u>Phone</u> | <u>Representing</u> | <u>Position</u> | <u>Testifying</u> |
|-----------------------|-------------------------------|--------------|------------------------------|-----------------|-------------------|
| Morgan Meredith | meredithm@kahres.org | Not Given | Myself | Support | No |
| Fordey Nicole | nikkif610@gmail.com | Not Given | Myself | Support | No |
| Rapier Forrest | Not Given | Not Given | Myself | Support | No |
| Staub Kathy | kstaub@comcast.net | 603.624.0249 | Myself | Support | No |
| Pitkin Marianne | Not Given | Not Given | Myself | Oppose | No |
| Billingham Carla | billingham2@comcast.net | 603.893.4472 | Myself | Support | No |
| Watters Senator David | david.watters@leg.state.nh.us | 603-271-2104 | Myself (SD 4) | Support | No |
| Smith MD MPH J. J. | policy@nhpha.org | 603.738.6221 | NH Public Health Association | Support | No |
| Hackmann Kent | hackmann@uidaho.edu | 16039343225 | Myself | Support | No |
| Dodge Corinne | corinnedodge@hotmail.com | 16034325759 | Myself | Support | No |
| Zanchuk Val | vzanchuk@graphicast.com | 603.234.8960 | Graphicast Inc. | Oppose | No |
| Moccia Lianne | lianne.moccia@gmail.com | 603.398.4783 | Myself | Support | No |
| Stewart Alexandra | stewart.ali@gmail.com | 603.521.5705 | Myself | Support | No |
| thomas Elaine | Not Given | Not Given | Myself | Support | No |
| Mott-Smith Wiltrud | wmottsm@worldpath.net | Not Given | Myself | Support | No |
| Covert Susan | scovert@comcast.net | 603.746.4486 | Myself | Support | No |
| McKevitt Susan | Not Given | Not Given | Myself | Support | No |
| Merrigan Sarah | Not Given | Not Given | Myself | Support | No |
| Clark Lynn | rubylynn862@gmail.com | Not Given | Myself | Support | No |
| Richards Matthew | mricha711@gmail.com | 603.854.3953 | Myself | Support | No |
| Ardino Marie | mdnardino@gmail.com | Not Given | Myself | Support | No |
| Johnson Sara | nhchicagocubfan@gmail.com | 603.748.5779 | Myself | Support | No |
| Rasmussen Elissa | Not Given | Not Given | Myself | Support | No |
| Dermody Bethany | Not Given | Not Given | Myself | Support | No |
| Day Jennifer | jenniferday1967@gmail.com | 603.660.8426 | Myself | Support | No |
| Smith Rachel | Not Given | Not Given | Myself | Support | No |
| Folsom Andrea | aahfolsom@yahoo.com | 603.746.1189 | Myself | Support | No |

Testimony

Testimony regarding opposition to SB 67 – March 16, 2021
Val Zanchuk, President, Graphicast, Inc., Jaffrey, NH

As president of a company twice named as a top ten company to work for in New Hampshire, and one which provides paid time off to our employees, I am certainly not opposed to the concept of paid time off or paid sick time. I think company policies and benefits should be constructed to remove or reduce family stress so that employees can focus on doing the work for which they are paid. These benefits provide financial and emotional support to our employees. They also improve the productivity and profitability of our company. Paid benefits make good economic sense – to the individual, to the company, and to our society.

What I do oppose in this bill is the overbearing prescriptive nature of how paid sick leave or paid time off is to be allocated and managed. Each company has its own history and culture. These provide the basis for company policies and philosophies that make a particular company an attractive place to work. The company's financial condition also impacts its ability to provide benefits. The combination of all these factors allows companies to craft benefit packages that balance employee needs with company resources.

This bill intends to create highly prescribed rules that strip companies of their ability to create policies that make sense for them and their employees. These prescriptions do not take into account company finances, employee demographics, company attendance policies, local cultural norms, owners' philosophies, company operations, and everything else that goes into developing workable policies. They don't take into account human nature, as anyone who owns or runs a business will confirm.

Legislating that companies should have paid sick leave may gain some support in the business community, as this policy is already in place with many employers. Dictating how to implement and manage paid sick leave will gain no support.

Aaron Jones

From: Sarah Robinson <feasting52@gmail.com>
Sent: Friday, March 12, 2021 3:48 PM
To: Harold French; William Gannon; Kevin Cavanaugh; Jeb Bradley; Donna Soucy; Aaron Jones.
Subject: Relative to SB 67, Paid Sick Leave

Senators:

As a life-long resident of the Granite State, I can tell you in no uncertain terms that being an employee in this state can be very difficult. Hourly workers are constantly needing to choose between taking care of themselves or their families when they are sick, or going to work so they can still make a paycheck. It's a system that is not only inhumane, but economically frivolous. Public support for all workers having paid sick days is almost universal- a national poll from April 2020 found 78% support for a law guaranteeing paid sick days to all workers. This support is bipartisan, with 68% support from republicans. Nationally, more than one in four private sector workers- and seven in 10 of the lowest-wage workers- do not have paid sick days to care for their own health. This is no different for New Hampshire. Covid has exacerbated this issue, exposing our system's inequities and failings. Women are leaving the workforce at an alarming rate, in order to care for children since we lack a support network for them. Can we assure women that when they come back to the workforce that we will support them when they need it the most? That when their child is sick, they won't lose pay in order to care for them? And I don't want to lay child care at the feet of only mothers. Fathers need this support just as much. We're being given a portal through which we can substantially change a bad situation and replace it with a statute that can protect our economy and nurture it into the future. I ask that you vote SB 67 OTP. The people of New Hampshire will celebrate you for it.

With Gratitude,
Sarah Robinson
Concord, NH

Sarah Robinson
Pronouns: she, her, hers
Concord NH SURJ
603-568-2741

I acknowledge that I live and work on the land of the Pennacook Abenaki people, who walked gently on the land many centuries before me. I am committed to learning about their history, culture, and stories, and to share them with my own community. If you would like to learn about who's land you currently occupy, please visit <http://native-land.ca>



48 Grandview Road, Suite #2
Bow, NH 03304
603 225 9748
www.retailnh.com
shop@retailnh.com

TO: Senate Commerce Committee Members
FROM: Nancy C. Kyle, President, NH Retail Association
RE: Opposition to SB 67, relative to paid sick leave
DATE: February 3, 2021

I write to register the opposition of the New Hampshire Retail Association to SB 67.

This bill would move New Hampshire in a direction that is opposite from recent trends in paid time off. We have heard from members from the among the smallest to the among largest who offer a nonspecific paid time off. SB 67 would pigeon-hole sick time, forcing employers to offer sick time distinct from the rest, which may serve to decrease the amount of other personal paid time off employees enjoy. Younger workers could be particularly penalized by the requirements proposed by this bill.

I'm sure you are all aware the retail industry employs a high percentage of young workers. Our recent economic study the retail industry in New Hampshire employs a higher proportion of workers aged 16-18 than either Massachusetts or the national average. Our tax-free-shopping status affords New Hampshire retailers the ability to provide employment and work experience for our teens. But any paid time off used by teens is more likely to be taken as a day off or vacation rather than sick time. Enactment of SB 67 could diminish the other paid time off or make it more expensive to employ teens.

Retail also employs a fair amount of older, possibly semi-retired persons who are looking not necessarily for paid time off but extra pocket money. A forced benefit could lead to decreased hourly wages.

Lastly, please keep in mind that small businesses compete in the labor pool with larger employers who can afford more robust benefits packages. Passage of this bill may serve to limit the flexibility and offering of creative benefits packages more suited to a particular businesses' employees.

The New Hampshire Retail Association is a statewide, nonprofit trade association representing over 700 businesses in the state, from large chains to small independent retailers. Formed in 1966, we serve as the voice of retailing in New Hampshire and concentrate on preserving the state's strong retail climate. Over 95% of our members are New Hampshire based businesses. Our mission is to is to advocate for, promote, and support New Hampshire retailers.

For more information on the NH Retail Association, check our website at www.retailnh.com, email us at shop@retailnh.com, or call our offices at 603-225-9748. The NH Retail Association is represented legislatively by Curtis Barry; Curtis@BarryGR or 603-496-4564.

Aaron Jones

From: Carla Billingham <billingham2@comcast.net>
Sent: Friday, March 12, 2021 12:04 AM
To: Aaron Jones
Cc: Chuck Morse
Subject: SB 67

Honorable Members of the Senate Commerce Committee and Senator Chuck Morse,

I am writing to ask you to vote in favor of SB 67.

It no longer is reasonable to expect employees to work when they or family members are ill. It also is not safe to put co-workers at risk of becoming sick.

Without paid sick time, employees — especially part-time and lower-wage workers — cannot afford to lose pay or lose their jobs if they miss work. Their sick time would be earned and not only provide reassurance that workers can take time to heal, but also would result in a more successful and productive employee.

Thank you for your support of SB 67.

Carla Billingham

11 Sullivan Avenue
Salem, NH 03079
(603) 893-4472
billingham2@comcast.net

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Aaron Jones

From: Bryan Field <bryguy350@yahoo.com>
Sent: Wednesday, March 10, 2021 7:17 PM
To: Harold French; William Gannon; Kevin Cavanaugh; Jeb Bradley; Donna Soucy; Aaron Jones
Subject: SB67

A note to say I support SB67 and hope that you will too.
Thank you,

Bryan Field
69 Murphy Road
Peterborough, NH 03458
(603)924-7225
See my Gnomes at <https://bit.ly/3rLVdEG>
Check out my handcrafted pens.
www.bryan-field-pens.com
"Always expect the unexpected."

Bill: SB67 (OPPOSING)

Committee: Commerce

Public Testimony from: Aubrey Freedman (private citizen)

Date: March 16, 2020

- Small companies just barely surviving the pandemic and lockdown cannot afford additional costs at this time. Why hit them with another mandate?
- To be competitive in the marketplace, close to 80% of larger companies already offer paid sick leave. Smaller companies would offer it too if they could afford it.
- This bill would force smaller companies to reduce hours of operation, reduce the number of hours for employees, lay off employees, or go out of business.
- Why should the mandate apply to those under 18 years of age? Minors are not the family breadwinners, so for them the choice of going to work sick or staying home should not be a compelling public health issue.
- By what right does the government issue a one-size fits all mandate for what benefits a private company should offer its employees? That is a private matter to be settled voluntarily between employers and employees.
- A larger company has more employees available to cover when someone calls in sick. Smaller companies by their very nature have fewer employees available and can ill afford to have staff miss work more often.
- The bill doesn't even allow the employer to request any kind of documentation to call in sick. This is a recipe for abuse.
- Though not ideal, having a job without paid sick leave is still better than having no job at all.

Date: Tuesday, March 16th at 9:30 A.M.

Committee: Chairman French and committee members. Senate Commerce Committee.

From: Molly Lunn Owen, Manchester. Molly.lunn.owen@gmail.com. 781-789-1168.

Re: In Support of SB 67, a bill relative to paid sick time.

I am writing to respectfully urge the committee to **support SB 67**, a bill that would allow working people in New Hampshire to accrue paid sick time.

I'm a new mom to a chubby 10-month-old who was born during the pandemic but smiles and laughs like she's never known otherwise. My husband is an engineer at BAE, a Navy reservist, and a doting father (see photo!) who's anxiously preparing for his deployment to the Middle East for ten months in April.

I was almost hospitalized with the flu last spring, while pregnant, and was away from work for two weeks. In my previous job, those two weeks would have encompassed the *entirety* of my yearly paid leave and I would have returned to work with zero days of paid maternity leave and no leave available for doctors' appointments, an illness like COVID-19, or time with family before or after my husband's ten months away.



Most military spouses in New Hampshire would approach a deployment without access to any paid sick time or a partner to help. The one-third of New Hampshire families headed by single parents face this harrowing choice between an income and their families every single time a family member becomes ill. Thankfully, my current organization offers paid sick leave should my daughter or I become ill while my husband is deployed. This should be the norm.

I'm sharing my story to urge that committee members **support SB 67** so that working moms and dads in New Hampshire have a chance to earn paid sick leave, especially during a pandemic, to both work *and* care for our families.

SB 67 would help working people like my family and our friends live, raise our families, and contribute to our communities and the economy of this state I'm proud to call home.

Thank you, Mr. Chair and committee, for your attention. I urge you to support SB 67.

Respectfully yours,

Molly Lunn Owen

Walnut Street, Manchester, NH. molly.lunn.owen@gmail.com. (781) 789-1168

March 16, 2021

The Honorable Harold French, Chair
Senate Commerce Committee
State House, Room 100
107 North Main Street
Concord, NH 03301

Re: New Futures Support for Senate Bill 67 (relative to paid sick leave),

Dear Senator French and Honorable Members of the Committee:

New Futures appreciates the opportunity to provide testimony in support of SB 67, relative to paid sick leave. New Futures is a nonpartisan, nonprofit organization that advocates, educates and collaborates to improve the health and wellness of all New Hampshire residents. In this role, we work extensively with policy makers, service providers and families afflicted by substance misuse and mental illness to prevent, address and reduce behavioral health issues in our state. As New Hampshire's authorized Kids Count organization, New Futures advocates for data-based policies that support Granite State families.

New Futures Kids Count stands strongly in support of SB 67 as it aims to increase access to paid sick time for New Hampshire's working families. Data shows that more than 200,000 Granite State workers, nearly 40 percent of the state's workforce, do not have access to paid sick time. Without this crucial benefit, many of these workers, who face significant socioeconomic challenges, are forced to make the impossible choice between their own health and the financial stability of their family. This not only leads to poor health outcomes for these workers, but it leaves their co-workers at greater risk of contagious illness, and it compromises the health and wellness of the workers' family members, especially children, for generations to come.

Without paid sick time, many parents do not have the flexibility they need to care for their children during times of need. Unattended physical and mental health concerns among children have been shown to contribute to toxic stress, which can impair a child's developing brain and have life-long negative impacts.

Interventions that support health and family stability, like paid sick time, can help prevent Adverse Childhood Experiences and deter the impacts of toxic stress. Access to paid sick time would help workers better care for their own health and the health of their family members. It would save businesses costs and increase productivity by better preventing the spread of infectious diseases at the workplace, and it would promote family financial stability, reducing the potential of toxic stress, and thus improving the lives of our children now and into the future.

For these reasons and many others, New Futures Kids Count believes that SB 67 represents an important investment in our children and our state, and we urge the Committee to recommend this bill Ought to Pass.

Respectfully submitted,



Jake Berry, Vice President of Policy, New Futures

Aaron Jones

From: Lucinda Hope <lmhope46@gmail.com>
Sent: Sunday, March 14, 2021 11:49 AM
To: Aaron Jones
Subject: Constituent in SOPPORT of SB67

Members of the Senate Commerce Committee —

I am in *strong support* of SB67 — hopeful that NH will finally have paid sick leave for both full-time and part-time employees. illnesses, and the need to tend to illnesses, being without a doubt part the human-existence, should not jeopardize anyone's employment.

Tending to illness of self or family is responsible behavior which wise employers need to support at least to the extent outlined in SB67.

This bill is well thought out & well written, and should be passed.

Sincerely,

Lucinda Hope

Aaron Jones

From: Amy Markus <asmarkus@comcast.net>
Sent: Saturday, March 13, 2021 2:11 PM
Subject: Please Support SB 67

Dear Esteemed Senators of the Commerce Committee,

I am writing to ask that you SUPPORT Senate Bill 67 this Tuesday, March 16. Everyone gets sick. And everyone deserves time to get better, without risking their economic security. This basic support is especially important now, during a public health and economic crisis that has only heightened caregiving needs and financial insecurity among working families.

Thank you for your service.

All best,

Amy Markus
Hancock, NH

Sent from my iPhone

Aaron Jones

From: Andrea Folsom <aahfolsom@yahoo.com>
Sent: Saturday, March 13, 2021 11:29 AM
To: Harold French; William Gannon; Kevin Cavanaugh; Jeb Bradley; Donna Soucy; Aaron Jones
Subject: Please Support SB 67

Dear Esteemed Senators of the Commerce Committee,

I am writing to ask that you SUPPORT Senate Bill 67 this Tuesday, March 16. Everyone gets sick. And everyone deserves time to get better, without risking their economic security. This basic support is especially important now, during a public health and economic crisis that has only heightened caregiving needs and financial insecurity among working families.

Thank you for your service,
Andrea Folsom

Aaron Jones

From: Alexandra Stewart <stewart.ali@gmail.com>
Sent: Saturday, March 13, 2021 9:29 AM
To: Harold French; William Gannon; Kevin Cavanaugh; Jeb Bradley; Donna Soucy; Aaron Jones
Subject: Please Support SB 67

Dear Esteemed Senators of the Commerce Committee,

I am writing to ask that you SUPPORT Senate Bill 67 this Tuesday, March 16. Everyone gets sick. And everyone deserves time to get better, without risking their economic security. This basic support is especially important now, during a public health and economic crisis that has only heightened caregiving needs and financial insecurity among working families.

Thank you for your service,
Alexandra
Concord, NH

Sent from my iPhone

Good Morning,

My name is Paula Garvey from Amherst. I support this bill to ensure access to paid sick leave in New Hampshire.

My daughter Rosie was born with Cystic Fibrosis – a chronic health condition that effects the lungs and other organs. CF is a complex health condition that requires a lot of care, with frequent doctors' visits and hospitalizations. At age 15, she was also diagnosed with rheumatoid arthritis which has had a huge impact on her health and lead to an increase in the need to be seen by her medical teams. Both conditions have led to multiple hospitalizations and surgeries. It has been very challenging as a carer to work and care for a child with health conditions. Rosie is now 22 but even still I feel the need to be available for her when she experiences health issues. Access to paid medical leave would, lessen the pressure on families caring for loved ones who have chronic health conditions.

- In the past, when Rosie was hospitalized I was fortunate to have 4 days of paid sick leave but after that I would have to use unpaid leave. This is particularly stressful when you have a child with a chronic health condition with frequent hospitalizations. My husband and I always managed to juggle our sick days to ensure that one parent was available. On one occasion, however, my older daughter who works in New York, took sick leave to come home to support us, when we had used our days. We do not have extended family living in the area to support us when Rosie is sick.
- Parents and caregivers of children with chronic health conditions have to attend multiple appointments – when Rosie is healthy she has clinic every 3 months, and often she has appointments between clinic visits also. It is very difficult to manage work and ensure that your child gets to appointments, which often take hours due to the complexity of her health condition.
- On a general note, as the Covid Pandemic has taught us, it is imperative to stay at home when feeling unwell so not to spread infection. Knowing that people have a cushion of some pay would make it easier to make the right decision. I am an educator and was very aware of the risks of being in a school environment and passing on illness and infection.

Thank-you for your consideration,

Paula Garvey



The Position of the New Hampshire AFL-CIO on Senate Bill 67 (2021)

When the New Hampshire General Court was recently debating a comprehensive plan for family and medical leave, we pointed out that "everyone in New Hampshire is likely aware of someone who is right now struggling with helping an aging parent manage their day-to-day lives, taking on childcare duties for a grandchild with busy parents, or wrestling with their special needs child's demanding schedule of school and treatments." That was before COVID-19 struck and made every one of these challenges infinitely more difficult.

This bill does not solve these structural challenges and a greater effort should be made to address them in a comprehensive way. It does, however, provide a modest amount of relief for families desperately in need of it. The usefulness of this legislation has been made obvious in recent weeks with the challenges that many face in New Hampshire with scheduling the COVID-19 vaccinations necessary for ending the pandemic.

While our fellow advocates for working families will lay out the facts that offer support for the passage of SB67, two (2) relating to the impact on workers bear repeating as we continue the fight against this pandemic and to plan and prepare for the next one.

People without paid sick days are 1.5 times more likely than those with paid sick days to report going to work with contagious illnesses like flu or viral infections. If COVID-19 has taught us anything, it is that the ability to stay home when you're sick with a communicable illness is a crucial tool to stopping the spread of diseases. When you consider the fact that four in five restaurant workers (81 percent) don't have ANY paid sick days and three-fourths of personal care workers - including child care workers and workers in senior living centers - don't have paid sick days, the grave threat to everyone's health is obvious.

Workers without paid sick days are three (3) times more likely to go without medical care for themselves and 1.6 times more likely to go without medical care for their families. While this manifests most dangerously in workers and their families failing to receive cancer screenings and other preventative care, the difficulty these workers are currently having in scheduling COVID-19 vaccinations provide a chilling example of potential future impacts of not having recourse to paid sick days.

Senate Bill 67 is a modest step toward making available some time to allow families to take care of their health care needs outside of the workplace and deserves our support. What workers deserve, on the other hand, is a comprehensive plan that offers the needed flexibility to deal with the challenges families face every day in New Hampshire. We plan on continuing to work with advocates to realize that goal.

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Aaron Jones

From: Amy Brady <bethamy.b@me.com>
Sent: Monday, March 15, 2021 3:50 PM
To: Aaron Jones
Subject: SB67 Testimony written

My name is Amy Brady of Hollis NH.

First and foremost I am mother of two, career employee and spouse of a combat Veteran. Both of my children have left threatening chronic medical conditions. One, my 9-year-old Daughter, has -- type one diabetes. I have had to use paid sick leave through my employer, but I have also had to take leave without pay. I often have to miss work to ensure she makes numerous monthly doctor's appointments.

Working people should have access to paid sick time. No family should have to choose between a paycheck and taking care of a child with a chronic illness. But too often, this impacts everything for a parent with a child with a chronic illness in terms of long-term economic security -- not just paying bills, but retirement, use of public assistance programs, unemployment cost, and health care benefits, For caregivers without access to paid sick time, it's categorically difficult to make ends meet. Even for caregivers who do have sick time, when we're using most of it to care for a sick loved one, we are often left without time to stay home if we're sick. And as someone who identifies as a person with a disability, this is a real problem.

The driving concept of economic legislation is to correct failures of the market economy. Paid sick leave as it stands today is a failure- we encourage citizens to work and contribute to the economy, but people need families to be healthy and happy, in their own right. The current system forces a choice between these alternatives for far too many of our most critical workers, and as COVID has shown, incentivizes employees to go in to work sick, just so that they can keep paying their rent. This conflict must be removed from the system if we want safe and productive workers who are able to make choices consistent with public health.

Additionally, this issue disproportionately affects women, as they just are, more often, the primary caregivers within the family.

As a primary caregiver, I have had to step away from promotions because of the need to make all of the appointments for my child and the negative attitudes of employers when taking paid or unpaid sick leave entitlements. We need better systems in place to ensure that women can remain in the workplace, especially during a pandemic and economic crisis. SB 67 would help.

Thank you, Amy Brady

~Amy Brady

GRANITE STATE TAXPAYERS

Senate Commerce Committee Hearing

March 16, 2021

GRANITE STATE TAXPAYERS

Granite State Taxpayers, is non-partisan, non-profit with a Mission to inform, educate and motivate New Hampshire taxpayers and to lobby the legislature on their behalf. We advocate for low taxes, balanced budgets, frugal, limited government that works within its constitutional authority, and local control.

RATIONALE FOR FREE INSURANCE MARKETS AND CHOICE AND AGAINST GOVERNMENT MANDATES

Granite State Taxpayers advocates for free market approaches and solutions and for private business and competition as the tools to provide the most competitive costs, the highest quality and the best customer service and satisfaction.

When freedom and free will prevail, consumers make choices based upon value as they perceive it. Markets aggregate and integrate the collective voice of the consumer, and reward (or not reward) those enterprises that satisfy their customers. In free market, the allegiance of customers must be earned, and their allegiance cannot be taken for granted. Consequently, in order to prosper, private companies and markets are forced to be nimble and responsive to customer demand, and must change if customer demands change.

Government control of business areas, particularly mandate of products or services, creates bureaucracies that, by their nature, become inflexible and are prone to increased cost, "mission creep", and fidelity to political issues rather than consumer preference. In short, the "voice of the customer" is muted or ignored in favor of the voice of the legislature.

Granite State Taxpayers Opposes State Mandated Medical Leave

SB 67 MANDATES MEDICAL LEAVE ON NEW HAMPSHIRE BUSINESSES

In prior sessions, we opposed SB 1 and HB 628, which would have done what SB 67 now intends to do.

Those bills present that:

"The general court finds it in the public interest to establish a system of family and medical leave insurance." *We consider that to mandate such a system is not a proper role of government.*

Medical leave plans, either through paid insurance or leave plans self-insured by individual companies, currently exist that enable coverage for the types of benefits included in the legislation. Employers can decide, on a voluntary basis, whether to provide the benefits to their employees. *The private sector already can and does provide paid sick leave as a strategy to attract and retain employees.*

SB 67 MANDATES WILL NEGATIVELY IMPACT NEW HAMPSHIRE BUSINESSES

Taxes and regulations have a negative effect on businesses and on economic development. A lower tax and regulatory environment is desirable to individuals and businesses because they have both the opportunity to retain a higher percentage of the results (wages or profits) of their efforts (work). That allows individuals and businesses to spend, or save, more of their income, driving economic growth. *Businesses are perfectly capable of deciding whether Family and Medical Leave is of value to employees.*

Medical Leave Decisions should be made by employers and employees.

Granite State Taxpayers Mandated Medical Leave. We oppose SB 67.

Aaron Jones

From: Lidia Yen <LYen@afsc.org>
Sent: Monday, March 15, 2021 9:16 PM
To: Aaron Jones
Subject: SB67 Testimony in SUPPORT - Lidia Yen

March 15, 2021

To: Commerce Committee Aide, Aaron Jones
From: Lidia Yen
Re: SB 67 - SUPPORT

My name is Lidia Yen, and I am a working citizen. I am testifying today on behalf of myself, my mom, and my working siblings. At the beginning of the year my family contracted Covid and we were quarantined for almost a month. During that time one of my employers provided paid sick leave. No one else in the family was as fortunate. It allowed me to continue to pay some of my family's bills while I recovered at home. I can't imagine where my family would be if I did not receive that paid sick leave.

A little over a year ago my mom was physically capable of working. The work she did was exhausting and she couldn't take a break to heal without suffering financial losses as a result - which ended up happening eventually. If she had received paid sick leave, she may not be incapacitated now.

People should not have to choose between losing money or injuring themselves further to put food on the table. Please put yourself in other people's shoes if you have not experienced these hardships.

Thank you for your time,

Lidia Yen
Concord, NH

*Lidia Yen
Grassroots Organizer Intern
American Friends Service Committee
Concord, NH
(603) 224-0741*

Aaron Jones

From: Debra Altschiller
Sent: Tuesday, March 16, 2021 10:50 AM
To: Harold French; William Gannon; Jeb Bradley; Donna Soucy; Kevin Cavanaugh
Cc: Aaron Jones
Subject: Testimony for SB 67: Relative to Paid Sick Leave

Senate Commerce Committee

March 15, 2021

Testimony for Senate Bill 67: Relative to Paid Sick Leave

Submitted by: Representative Debra Altschiller, Stratham

Thank you, Committee members, for your time and service to New Hampshire.

Paid sick days would protect the paychecks of survivors of domestic violence, sexual assault or stalking when they need to take time off from their jobs to get medical care, support services, enact a safety plan to get away from their perpetrator and if they choose, go to court seeking justice. These are just as much safe days for survivors of violent crime.

On page 3, 275-1:3typart 1(d):Use of Paid Sick Leave. Lines 23-31

(d) Absence necessary due to domestic violence, sexual assault, or stalking, provided the leave is to:

- (1) Seek medical attention for the employee or employee's family member to recover from physical or psychological injury or disability caused by domestic or sexual violence.
- (2) Obtain services from a victim services organization.
- (3) Obtain psychological or other counseling.
- (4) Seek relocation due to the domestic or sexual violence or stalking.
- (5) Take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic or sexual violence.

In my work for the last nine years as a volunteer advocate for one of New Hampshire's crisis response centers I have been to the hospital emergency departments dozens of times to support survivors of sexual assault. The first time a survivor, who had been administered a powerful cocktail of prophylactic drugs to address possible exposures to sexually transmitted infections, told me they had to go to work right after their forensic medical exam was complete, I was crushed for them. Many of my fellow advocates have accompanied survivors to court where they are applying for restraining orders against their abusers. Advocates are frustrated for their clients, seeing them check their watches knowing they cannot afford to miss a work shift no matter how far behind the courts run.

Data from the National Violence Against Women Survey (NVAWS) published by the Centers For Disease Control estimates that women in the United States lose almost 8 million days of paid work each year because of IPV. Survivors in New Hampshire who are employed in jobs, with no benefits and unforgiving leave policies, feel the tide pulling them under as they struggle to cope with an abusive household. Maintaining employment is often the linchpin in attaining financial stability needed to keep a family in crisis steady and self-sufficient while recovering from abuse.

No victim in New Hampshire should have to choose between losing a paycheck or going to the hospital for a sexual assault examination and forensic medical evidence collection. No victim in New Hampshire should have to choose between losing a paycheck or a court date to get a restraining order against their abuser. No victim in New Hampshire should have to choose between losing a paycheck and meeting with a Family Violence Prevention Specialist from a crisis center who is helping them build a safety plan and access to life saving support services. This bill is written to empower employers to provide a few hours of a day up to an entire day so survivors may take care of themselves and then go back to work.

I urge you keep the thousands of survivors of sexual assault, domestic violence and stalking in mind as you weigh the benefits of paid sick time for hard working citizens of New Hampshire.

Thank you.

Please submit this written copy of my oral testimony for the record.

Debra Altschiller (she/her)
State Representative
Rockingham 19, Stratham
Child and Family Law Committee
NH Oversight Commission on Children's Services

GENDER MATTERS

from the New Hampshire Women's Foundation

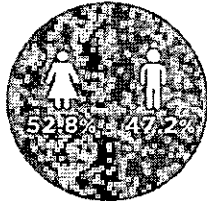
WHEN YOU KNOW THE FACTS, YOU CAN ACT!

2020: SPECIAL ISSUE The Impacts of COVID-19 on New Hampshire Women

THE COVID-19 PANDEMIC has triggered both health and economic crises that are being felt disproportionately by women here in New Hampshire and across the globe. This pandemic has destabilized workers, families and communities and has exposed the fragility and inequality in our health care, economic and caregiving systems. While the rate of COVID-19 cases in New Hampshire remains one of the lowest in the country,¹ women are predominantly on the frontlines of the virus shouldering the burden in the workplace and at home as caregivers to children and aging parents. At the same time, women are more likely than men to suffer negative health and economic consequences.

WOMEN ARE EXPERIENCING A HIGHER PERCENT OF COVID-19 CASES AND DEATHS

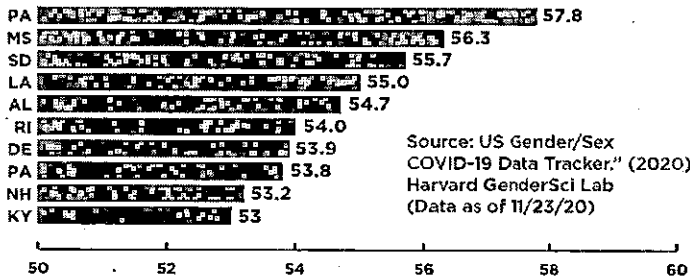
TOTAL COUNT CASES BY SEX



MALE (11,056 CASES)
FEMALE (12,371 CASES)

Source: NH DHHS COVID-19 Dashboard (accessed 12/4/2020)

NH IS AMONG THE TOP 10 STATES FOR PERCENT OF FEMALE CASES



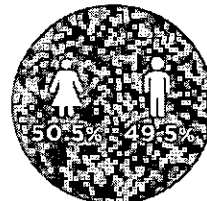
THE SEX DISTRIBUTION OF COVID-19 CASES varies significantly across all 50 states with a low of 35% of positive cases attributable to women in Texas and a high of 58% in Pennsylvania. At 53%, New Hampshire ranks among the top 10 states in the country for the gendered impact of the virus, above the national average of 52%.²

FIRST IN THE NATION FOR PERCENT OF COVID-19 DEATHS IN LONG-TERM CARE FACILITIES: EVEN HIGHER FOR FEMALES³

Residents of long-term care (LTC) facilities, such as nursing homes, have experienced a disproportionate share of COVID-19 deaths. New Hampshire has the highest share of LTC facility deaths in the U.S. at 82% of total state deaths. This number is even higher, at 90%, when looking at female deaths alone.

Source: Kaiser Family Foundation and NH DHHS COVID-19 Dashboard (accessed 12/4/2020)

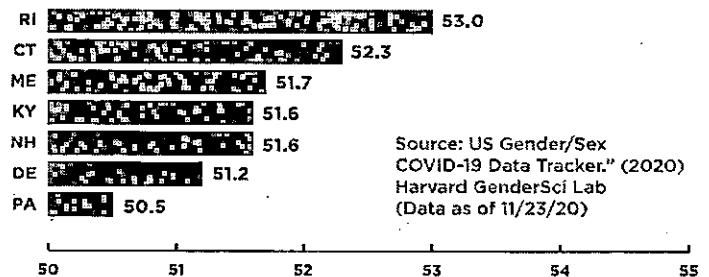
TOTAL COUNT DEATHS BY SEX



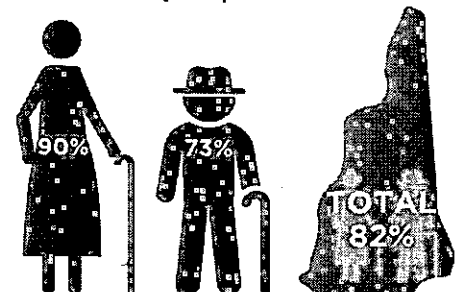
MALE (271 CASES)
FEMALE (276 CASES)

Source: NH DHHS COVID-19 Dashboard (accessed 12/4/2020)

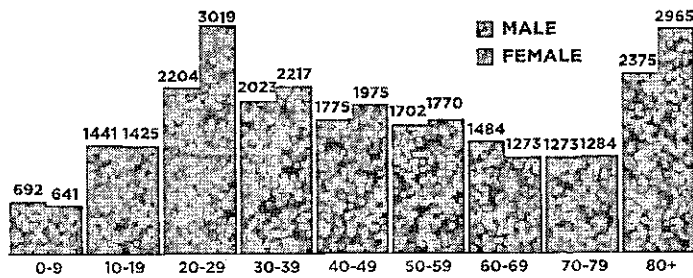
NH IS ONE OF ONLY 7 STATES WITH A HIGHER PERCENT OF FEMALE DEATHS



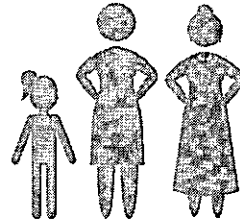
THE SEX DISTRIBUTION OF COVID-19 DEATHS shows that mortality rates for men and women vary widely among US states, with the virus killing more men than women in all but 7 states. NH is among these 7 states ranking 5th highest in the country for percent of female deaths.



NH RATE OF COVID-19 CASES BY AGE AND SEX



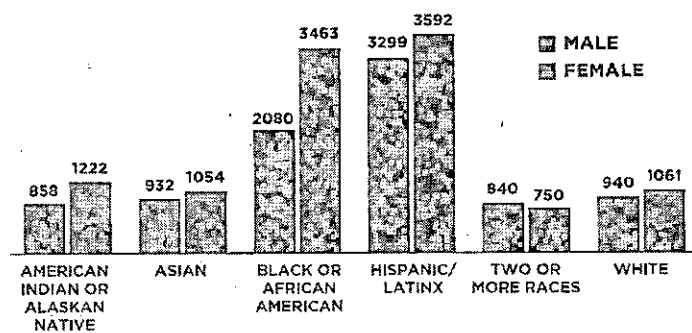
Source: NH DHHS COVID-19 Dashboard (accessed 12/4/2020)



NH WOMEN ARE EXPERIENCING A HIGHER PREVALENCE OF COVID-19 CASES ACROSS MOST, BUT NOT ALL AGE GROUPS (Rate per 100,000 population)

Risk and gender disparity are most pronounced for women in the 20-29 and 80+ age groups. Given that a person's age is a strong predictor of their risk of dying from COVID-19, this disparity contributes to the higher number of female deaths for women over age 80.

NH RATE OF COVID-19 CASES BY RACE AND SEX

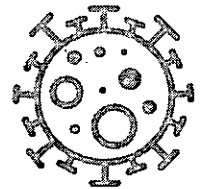


Source: NH DHHS COVID-19 Dashboard (accessed 12/4/2020)

WOMEN OF COLOR ARE EXPERIENCING COVID-19 AT MUCH HIGHER RATES THAN WHITE WOMEN

(Rate per 100,000 population)

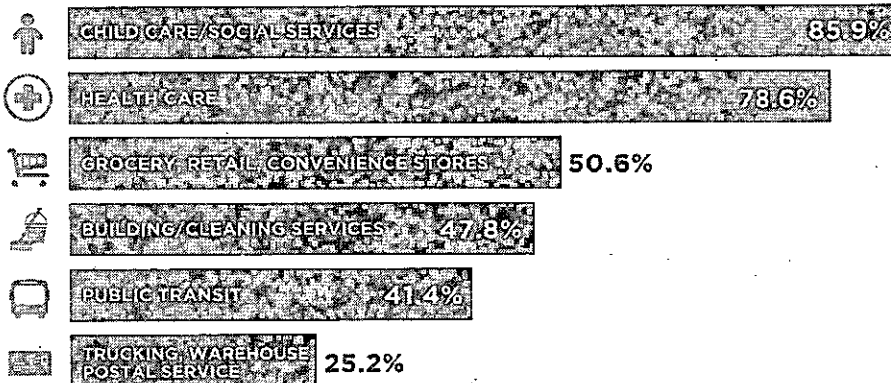
Nationally recognized trends of greater COVID-19 risk for racial minority groups are present in New Hampshire. Among nearly all racial and ethnic groups, the risk is greater for women. Black or African American women are experiencing COVID-19 at a prevalence 3.3 times greater than white women and for Hispanic/Latinx women the rate is 3.4 times as great.



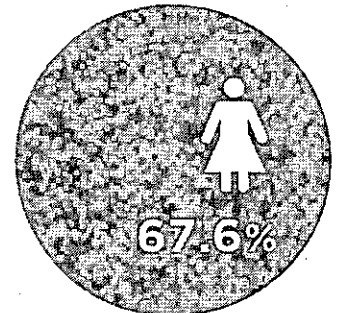
FEMALE WORKERS FACE INCREASED OCCUPATIONAL HAZARDS

Women are disproportionately represented in occupations on the frontlines of the pandemic response with employment conditions that present higher exposure and greater risk of contracting COVID-19. These jobs are often physically demanding, lack flexibility and have fewer benefits and lower pay.

WOMEN AS PERCENTAGE OF ESSENTIAL WORKFORCE IN KEY OCCUPATIONAL SECTORS IN NH⁴



Source: Center for Economic and Policy Research Analyzing ACS 2014-2018



WOMEN COMPRISE MORE THAN 2/3 OF THE ESSENTIAL WORKFORCE

THE WAGE GAP HAS MADE THINGS WORSE FOR WOMEN DURING THE COVID-19 PANDEMIC

During economic downturns and recessions, lost earnings due to the gender wage gap make women economically more vulnerable and add to financial hardship when women have less savings to cover emergencies or basic expenses when there is a sudden or unexpected loss of employment.

IN NH HEALTHCARE WORKFORCE, THE WAGE GAP PERSISTS



HEALTHCARE PRACTITIONER/TECHNICAL OCCUPATIONS

76% WOMEN

Includes Doctors, Dentists, Veterinarians, Laboratory technicians, MRI technologists, Registered Nurses, etc.

71.4¢



Women's earnings as compared to one dollar of men's earnings



HEALTHCARE SUPPORT OCCUPATIONS

89.5% WOMEN

Includes Personal Care Aides, Nursing Assistants, Massage Therapists, Medical Equipment Preparers, etc.

79.1¢

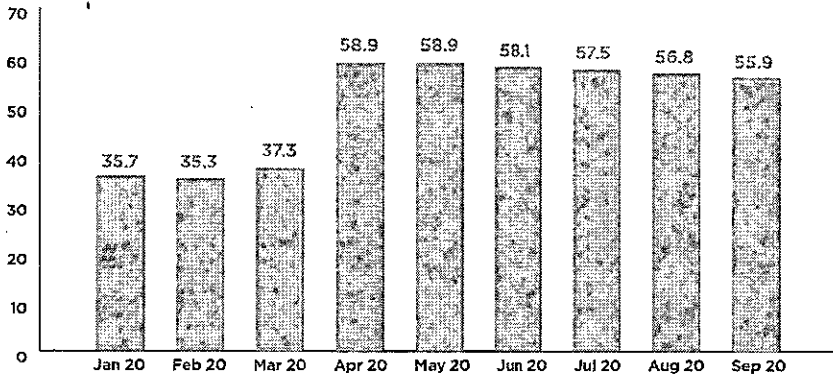


Source: U.S. Census Bureau, American Community Survey 1-year estimates, 2017

MORE WOMEN HAVE LOST EMPLOYMENT AND EARNINGS

Men have fared much better in retaining employment and re-entering the workforce throughout the pandemic.

WOMEN'S SHARE OF UNEMPLOYMENT (PERCENT)



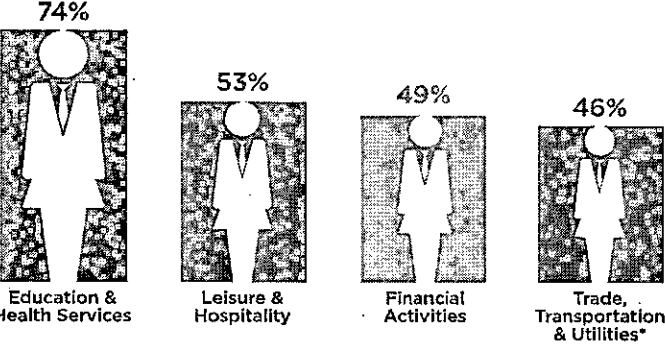
Source: BLS Unemployment Insurance Data, ETA 203, Characteristics of the Uninsured.

While women's share of the unemployment insurance program in January 2020 was only 36%, by April their share had risen to 59%, reflecting larger job loss among women in NH compared with men. As the economy has reopened since late spring, some job growth has occurred, but women's share of unemployment has remained uncharacteristically higher than men's.

WHO CAN WORK FROM HOME?

There are stark occupational differences as to whether or not a worker will be able to telecommute or be required to show up at a physical location in order to perform work and receive pay. Only 8% of workers employed in service occupations and 13% of workers in leisure and hospitality had the ability to work from home. In sharp contrast, 64% of those employed in professional occupations and 86% of those employed in management, business and financial occupations were able to do so.

IN KEY NH INDUSTRIES, PERCENT OF WORKFORCE THAT IS FEMALE

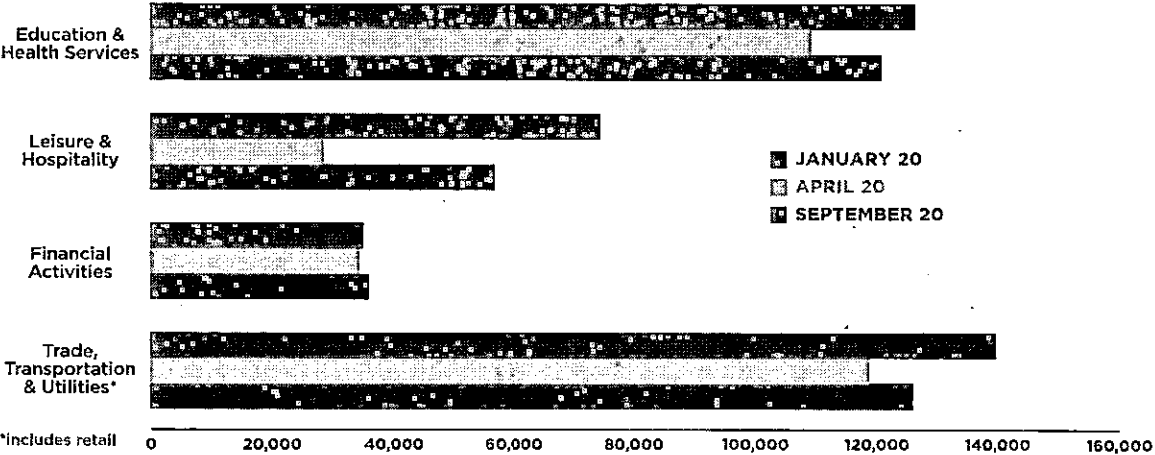


*includes retail

Source: U.S. Census Bureau ACS 1-Year Estimates - Public Use MicroData Sample, 2018

Women are disproportionately or evenly represented in industries that are suffering the greatest job loss. Ironically, women's jobs are simultaneously deemed "essential" but also more likely to be eliminated as the labor market responds to the recession and subsequent waves of the pandemic. Persistent job loss in these industries will have long-term impact on women's earnings.

NUMBER OF NH JOBS IN SELECTED INDUSTRIES (JANUARY, APRIL AND SEPTEMBER 2020)

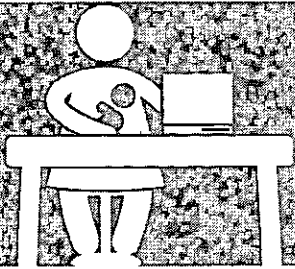


*includes retail

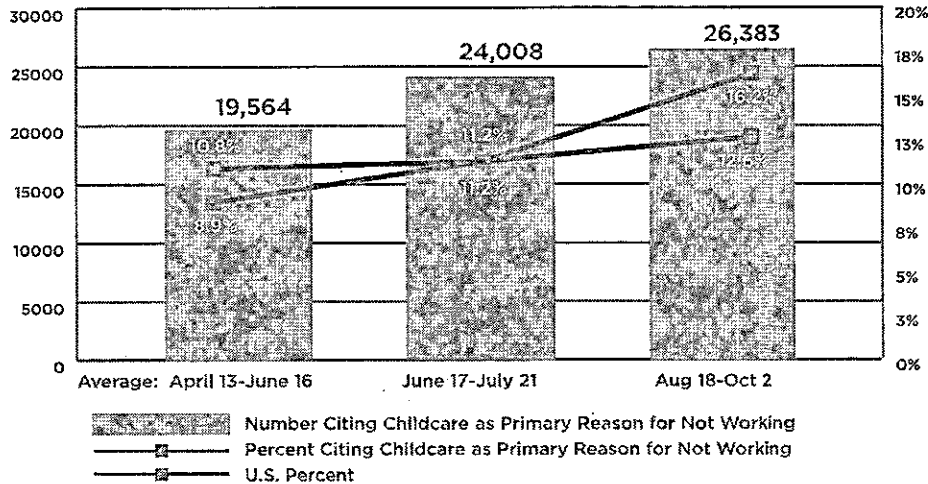
Source: NH Employment Security, NH Economic Conditions ELMI Current Employment Statistics - by Industry and Number of Jobs, Seasonally Adjusted, October 13, 2020

ACROSS THE U.S. PARENTS ARE SCRAMBLING, MOST RESPONSIBILITY FALLING ON WOMEN

Study after study has shown that in response to school, child care, and camp closings, as well as remote learning and reduced class sizes significantly more women than men have reduced their work hours, left work to care for children and spent more time on education and household tasks. The latest evidence shows that due to COVID-19 school and child care closures mothers with young children have arranged reductions in their work hours that are four to five times greater than the reductions arranged by fathers.¹⁰



IN NH LACK OF CHILDCARE HAS INCREASINGLY BEEN CITED AS A REASON FOR NOT WORKING



Over the span of the pandemic, and the onset of a new school year, the number of Granite State workers who are out of the labor force, citing child care as the primary reason for not working, has grown to more than 26,000. Nearly all of these individuals were women.

For women to re-enter the workforce and sustain employment, schools and child care centers will need to re-open fully and without interruption.

Source: NHES ELMI COVID-19 Unemployment Update, October 29, 2020 (ELMI analysis of Census Bureau, Pulse Household Survey)

CONCLUSION

Women in New Hampshire are more vulnerable to COVID-19-related health and economic effects because of persistent gender and racial inequalities in our health care system and our economy. As our federal and state governments turn to longer-term recovery efforts, there is a need to center investments and solutions on those who have been most impacted by COVID-19 and the corresponding economic downturn. The needs of New Hampshire women, especially working mothers and women of color, demand greater attention and greater investment.

Without intervention to address the disproportionate impact of COVID-19, women's progress will continue to decline. This will not just set back the cause of gender equality, but also will hold back the state's economic recovery and deny women and their families an equitable share of future opportunity and prosperity. Bold action now toward more equitable health, economic and caregiving systems will help reverse these declines in women's health and financial security and more rapidly restore economic growth and family incomes.

ENDNOTES

1. The New York Times: Coronavirus in the U.S.: Latest Map and Count (Accessed 12/4/2020)
2. Harvard GenderSciLab (2020), US Gender/Sex Data Tracker, <https://www.gendersciab.org/gender-and-sex-in-covid19/>
3. <https://www.kff.org/health-costs/issue-brief/state-data-and-policy-actions-to-address-coronavirus/#long-term-care-cases-deaths>
4. Center for Economic and Policy Research, <https://cepr.net/a-basic-demographic-profile-of-workers-in-frontline-industries/>
5. Ariane Hegewisch and Halle Marfano, 2020 "Same Gap, Different Year. The Gender Wage Gap, Earning Differences by Gender and Race." IWPR, Washington DC (accessed 11/2/20).
6. Dey, Matthew, Henry Frazis, Mark A. Lowenstein and Hugette Sun. 2020. "Ability to Work from Home: Evidence from Two Surveys and Implications for the Labor Market in the COVID-19 Pandemic". U.S. Bureau of Labor Statistics. <https://www.bls.gov/opub/mlr/2020/article/ability-to-work-from-home.htm> (accessed November 2, 2020)
7. Caitlyn Collins and others, "COVID-19 and the gender gap in work hours," Gender, Work and Organization (2020): 1-12, available at <https://onlinelibrary.wiley.com/doi/abs/10.1111/gwao.12506>.
8. Danielle Rhubarb, "Gender Disparities in Caretaking during the COVID-19 Pandemic" (Syracuse, NY: Lerner Center for Public Health Promotion, 2020)
9. Matt Krentz and others, "Easing the COVID-19 Burden on Working Parents," Boston Consulting Group, May 21, 2020, available at <https://www.bcg.com/publications/2020/helping-working-parents-ease-the-burden-of-covid-19>.
10. Collins and others, "COVID-19 and the gender gap in work hours.
11. C. Nicole Mason, Ph.D and the Institute for Women's Policy Research offer an important policy framework in "Build(ing) The Future: Bold Policies for a Gender Equitable Recovery," <https://iwpr.org/building-the-future/>, released November 10, 2020.



We invest in opportunity and equality for women and girls in New Hampshire through research, education, advocacy, grantmaking, and philanthropy.



December 2020
Special Issue

The New Hampshire Women's Foundation recognizes Jennifer Trizzoli, Director of Policy as the author of this publication and credits Dr. Kristin Smith, Visiting Research Associate Professor of Sociology, Dartmouth College, Ashley Post, undergraduate Dartmouth student and Dow Djaloker, UNH Graduate Student for the research contained herein.

A Teacher's Perspective on the Importance of Paid Sick Leave

Thank you, Chairman French and members of the committee, for hearing my testimony.

In my thirty years as a public high school teacher in rural New Hampshire, I saw thousands of students, and in the 1990's became aware that students were coming to school or injured. When questioned, the answers focused their families' economic plights. They didn't have health insurance or the money to go to the doctor. Their parents couldn't take time off from work to take them to the doctor, nor could they stay home with their sick children to care for them. They needed the income and often their jobs were in jeopardy if they took time off from work. The ill and injured students stayed in school, struggling to focus on their studies while distracted by their illness or pain. Sometimes they developed a high enough fever or vomited and could no longer pretend to be all right, and then the nurse would insist on their going home. Hopefully a friend or relative who was off that day could step in for the parents. Otherwise, an emergency call went to the parents at work. Eventually the students might be able to see a doctor, not infrequently in the emergency room, which is the most expensive and time-consuming way of getting medical attention.

Needless to say, studying when ill or in pain doesn't lead to the best academic results. Worrying about their family's financial circumstances and the possibility that they were the cause of their parent losing their job also distracts from focus on school work. Sometimes they came to school sleep deprived and without their homework completed after having spent many hours in the emergency room. A good education, which is valued for personal achievement and the economy and well-being of our communities, requires students' full attention and dedication. These students were at a disadvantage that was a consequence of their parents not having paid sick leave.

Part of the situation improved vastly with the passage of the Affordable Care Act. More students had access to affordable health care. However, the issue of the parents being unable to take time off to care for them remained, so they might have to wait for a parent being off from work to see a doctor, and depending on work schedules, this could be several days.

I am guessing that most of you are parents. I ask you to remember how hard it was to watch your sick or injured child while you waited for medical help. As a teacher I had paid sick days and could take time to care for my children when they needed it. I didn't have the added stress of lost income and having my job threatened because I was caring for my family. Please support SB 67 so paid sick leave can be a reality for all New Hampshire workers.

Thank you.

Claudia Istel
PO Box 88
Acworth, NH 03601

Voting Sheets

Senate Commerce Committee
EXECUTIVE SESSION RECORD
2021-2022 Session

Bill # SB 67

Hearing date: 3/16/21

Executive Session date: 3/23/21

Motion of: ITL Vote: 3-2

| Committee Member | Made by | Second | Yes | No |
|----------------------|-------------------------------------|-------------------------------------|-------------------------------------|-------------------------------------|
| Sen. French, Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sen. Gannon, V-Chair | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sen. Bradley | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Sen. Cavanaugh | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Sen. Soucy | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Motion of: _____ Vote: _____

| Committee Member | Made by | Second | Yes | No |
|----------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Sen. French, Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Gannon, V-Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Bradley | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Cavanaugh | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Soucy | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Motion of: _____ Vote: _____

| Committee Member | Made by | Second | Yes | No |
|----------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| Sen. French, Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Gannon, V-Chair | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Bradley | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Cavanaugh | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Sen. Soucy | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Reported out by: SEN. FRENCH

Notes: _____

Committee Report

STATE OF NEW HAMPSHIRE
SENATE
REPORT OF THE COMMITTEE

Tuesday, March 23, 2021

THE COMMITTEE ON Commerce

to which was referred **SB 67**

AN ACT relative to paid sick leave.

Having considered the same, the committee recommends that the Bill

IS INEXPEDIENT TO LEGISLATE

BY A VOTE OF: 3-2

Senator Harold French
For the Committee

Aaron Jones 271-4063

COMMERCE

SB 67, relative to paid sick leave.

Inexpedient to Legislate, Vote 3-2.

Senator Harold French for the committee.

Docket of SB67

Bill Title: relative to paid sick leave.

Official Docket of SB67.:

| Date | Body | Description |
|-------------|-------------|--|
| 1/19/2021 | S | Introduced 01/06/2021 and Referred to Commerce; SJ 3 |
| 3/9/2021 | S | Remote Hearing: 03/16/2021, 09:30 am; Links to join the hearing can be found in the Senate Calendar; SC 15 |
| 3/23/2021 | S | Committee Report: Inexpedient to Legislate, 04/01/2021; SC 17 |
| 4/1/2021 | S | Inexpedient to Legislate, RC 14Y-10N, MA === BILL KILLED === ; 04/01/2021; SJ 10 |

NH House

NH Senate

Other Referrals

Senate Inventory Checklist for Archives

Bill Number: SB 67

Senate Committee: Commerce

Please include all documents in the order listed below and indicate the documents which have been included with an "X" beside

Final docket found on Bill Status

Bill Hearing Documents: (Legislative Aides)

- Bill version as it came to the committee
- All Calendar Notices
- Hearing Sign-up sheet(s)
- Prepared testimony, presentations, & other submissions handed in at the public hearing
- Hearing Report
- N/A Revised/Amended Fiscal Notes provided by the Senate Clerk's Office

Committee Action Documents: (Legislative Aides)

All amendments considered in committee (including those not adopted):

____ - amendment # _____ ____ - amendment # _____
 ____ - amendment # _____ ____ - amendment # _____

- Executive Session Sheet
- Committee Report

Floor Action Documents: (Clerk's Office)

All floor amendments considered by the body during session (only if they are offered to the senate):

____ - amendment # _____ ____ - amendment # _____
 ____ - amendment # _____ ____ - amendment # _____

Post Floor Action: (if applicable) (Clerk's Office)

- ____ Committee of Conference Report (if signed off by all members. Include any new language proposed by the committee of conference):
- ____ Enrolled Bill Amendment(s)
- ____ Governor's Veto Message

All available versions of the bill: (Clerk's Office)

____ as amended by the senate ____ as amended by the house
 ____ final version

Completed Committee Report File Delivered to the Senate Clerk's Office By:

Aaron Jones
Committee Aide

3/21/21
Date

Senate Clerk's Office _____