

NYC Council OKs #PaidSickDays Compromise

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NEW YORK — After almost four years of negotiations and months of political bickering, about one million working New Yorkers are a step closer to gaining paid sick days.

The City Council approved a bill today that will require many businesses to give sick workers time off. It passed 45 to 3.

The bill is much transformed from the one originally introduced in 2010 and kept from a vote by Speaker Christine Quinn until a near insurrection from her colleagues and criticism from advocates threatened to become a political liability as she seeks the Democratic nomination for mayor.

Under the bill approved by the Council, eligible workers would be guaranteed a minimum of five paid sick days. The bill also says that no one in New York can be fired for taking an unpaid sick day. Whereas the original bill would have forced businesses with five or more employees to provide paid sick days, the version passed today applies to those with 20 or more employees.

The law would go into effect in April of next year, with the possibility of expanding to businesses with 15 or more employees in late 2015, depending on the law's success. Full-time and part-time workers would be protected under the law, although it excludes interns and seasonal workers.

"Today's vote projects a positive message to all New Yorkers that this government of the people is not only about those who have everything, but that each of us has a right to benefits created by the labor of all," said Manhattan Councilwoman Gale Brewer, the bill's lead sponsor, before today's vote.

For years, labor advocates and the local business community wrestled over the bill's impact on the city's public health and economic development. Quinn justified keeping the bill from a vote by repeating her belief that the city's economy was too fragile to mandate sick leave.

In responding to criticism about that decision, Quinn said that she had always supported the spirit of the bill. It has been more a matter of when it was appropriate for the city to enact the law, she added, not if she supported it.

At a press event today, Quinn said: "Clearly the economy is doing better now, than two or three years ago when I first said we should wait."

In March, she announced a deal to end political dilemma surrounding the bill after a drumbeat of criticism from advocates including Gloria Steinem and labor unions, her Council colleagues and rival candidates for the Democratic nomination for mayor. However, some were still unhappy with the outcome, with some business leaders not wanting to see any bill at all and a group of advocates for sick leave saying the Quinn deal would result in a weakened law.

Key Quinn ally Mayor Michael Bloomberg announced his continued opposition to the bill when the deal was struck in March.

"While this compromise version of the bill is better than previous iterations, it will still hurt small businesses and stifle job creation," Bloomberg wrote, calling the bill short-sighted policy that will hurt New York. "Supporters claim it will only take effect if the economy is healthy, but there is never a good time to make New York City less competitive."

Bloomberg has said he will veto even this compromise bill, though supporters say they have enough votes to override.

Among the many compromises that was negotiated into the bill is a trigger which Quinn has said will grant paid sick days only if the city's economy can handle the bill's impact.

That trigger will come from an economic index measured by the Federal Reserve Bank of New York that looks at a combination of wages, time sheets and the unemployment rate.

The unemployment rate is particularly relevant to Nancy Ploeger, president of the Manhattan Chamber of Commerce. On the same day the Brooklyn and Queens Chambers of Commerce presidents stood with Quinn at the March rally, Ploeger said that everything came down to jobs, and whether or not the bill would be another burden on the city's small businesses.

Ploeger hesitated to praise the compromise, arguing that the state has always been better equipped to deal with paid sick day legislation than the local government.

"We are against any type of City Council legislation," Ploeger said at the time.

Ploeger also called into question whether it was appropriate to have the law enforced by the city's Department for Consumer Affairs. While the state has its Department of Labor, she said, the city doesn't have a similar agency equipped to make sure employers comply with the law.

The DCA also said it was ill-prepared to handle the law's requirements.

"Among the many concerns about this legislation, the Council seems to not understand that the Department of Consumer Affairs regulates fairness in the marketplace, not labor and payroll issues," the agency said.

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