California Governor Brown signs sick leave bill

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On September 10, California Governor Jerry Brown signed the Healthy Workplaces, Healthy Families Act of 2014 (AB 1522). The law requires California employers to provide three paid sick days per year to all full- and part-time workers not covered by collective bargaining agreements. Almost 40 percent of the California labor force—or up to 6.5 million workers—at present receive no sick leave at all from employers.

Brown claimed that the law, which will not take effect until July 2015, will "guarantee that millions of workers … won't lose their jobs just because they get sick."

AB 1522 is an election maneuver on the part of California Democrats and Governor Brown in particular, who is running for re-election in November. As is their stock-in-trade, the Democrats are seeking to create illusions of reform and concern for the working class. That the pathetic AB 1522 sick leave bill is the best they can muster as a show piece for the coming election reveals just how threadbare the Democratic Party's window-dressing of so-called "reform" has become.

Three days of paid sick leave is not even sufficient to deal with one case of the common cold. The bill does not begin to address the realistic health concerns of workers who commonly fall ill due to work conditions, whose children get sick at school, and who care for elderly relatives.

The bill excludes from coverage poorly paid home health care aides for the elderly and for those with disabilities. According to the Associated Press, this exclusion affects 363,000 workers who are employed in the State of California's In-Home-Supportive Services network.

Governor Brown himself pushed to exclude home health care workers. He stated that giving these workers paid sick leave would lead to increased costs to the state.

The labor unions, including the California Labor Federation, the AFL-CIO, and the California Nurses Association (CNA), endorsed the bill as part of their attempt to mobilize workers to back the Democratic Party in the coming election. The California Labor Federation hailed the bill's passage as a landmark.

At the last minute the Service Employees International Union (SEIU) withdrew its support for the bill after Brown won the exemption for the home health care workers. The SEIU has in-home health care workers among its ranks, who are routinely paid less than $10 an hour, and the union withdrew its support for the bill in order to retain control over its membership.

Various unions representing the building and construction trades, electric workers, pipefitters and grocery store workers, like the United Food and Commercial Workers Union (UFCW), all alerted their members that they continued to back the bill despite Brown's excluding over 300,000 workers from coverage.

Major business groups, typified by the California Chamber of Commerce, labeled AB 1522 "a job killer" and argued that it would place an undue financial burden on low-wage paying industries like restaurants.

The Chamber of Commerce also opposed the bill's "right-to-sue" provision, which in theory allows a worker, with state support, to get restitution in the form of paid time off in case of employer violation of the law.

In order to ensure the bill's passage by the legislature, the Democrats watered down the bill in response to the objections of business. The bill is essentially toothless, as the final version has limited the

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penalties that can be incurred by businesses that do not comply with the law. In addition to this, according to the National Federation of Independent Business in California, employers are allowed to continue with existing sick leave policies with different accrual rates of sick pay as long as they offer a minimum of three paid days off a year.

Republican challenger for California governor, Neel Kashkari, opposed AB 1522. Kashkari stated, “It’s picking current workers over unemployed people. It doesn’t help people who are out of work [to] get jobs, it actually makes the cost of labor higher and that’s the exact opposite of what we ought to be doing.” Kashkari’s sole aim is to strip away from workers anything that would raise the cost of labor for big business.

Only one other state, Connecticut, currently provides statewide paid sick pay. Massachusetts will be voting on a similar measure in the upcoming November election. The Connecticut law, however, only applies to businesses that employ 50 or more workers and specifically excludes manufacturers. California is the second state to pass a minimal sick-leave provision for low-paid workers.

In June of this year, Florida Governor Rick Scott, a Republican, signed legislation that prevents local governments in the state from passing ordinances requiring businesses to provide paid sick days to their employees. The bill was supported by various business interests, including the American Legislative Exchange Council (ALEC). The legislation is similar to legislation promoted by ALEC in other states. Since 2011, 67 ALEC-sponsored bills to weaken wage standards have been introduced in state legislatures. Twelve of these bills have been signed into law.

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