

Future of Work Written Testimony

David McKenna, Legal Fellow, Greater Boston Legal Services

12/6/21

The future of work must include paid sick time for all workers, including businesses with 10 or fewer employees. Current state law gives paid sick time only to workers at businesses with 11 or more employees, but these are not the only workers who get sick or spread disease. In my experience representing workers in wage theft claims and other employment law claims over the past 3 years, I have seen countless workers at small businesses who feel the economic pressure to keep working while they are sick or injured to avoid losing income. The most common example is restaurant workers: chefs, servers, and dishwashers. When they feel pressured to work while sick, the cost to our community is enormous. For example, prior to COVID-19, the flu was one of the top ten causes of death in Massachusetts, killing more than 1000 people each year. A chef at work with the flu is a deadly situation.

The COVID-19 pandemic has revealed the high cost of not giving all workers paid sick time, but also showed an easy fix to this problem. In 2021, the legislature passed Emergency Paid Sick Leave that gives paid sick time to all employees in the state. Employers must pay their workers for sick time related to COVID-19, but then they get reimbursed by a state fund. Adopting this model of state reimbursement for employees of small businesses would protect our community health while avoiding a significant burden on small businesses. This should be a top legislative priority for the next session of the legislature.