



Written by [Bob Adelman](#) on May 9, 2013

New York City Council Passes Bill Forcing Employers to Provide Paid Sick Leave

On Wednesday the New York City Council [voted 45-3](#) to pass the New York City Earned Sick Time Act, a bill that will require employers with more than 20 employees to provide five paid sick days to each of them every year while mandating that those employees using their sick days can't be fired. The law would become effective on January 1, 2014, and companies with more than 15 employees would be required to comply with the law starting in 2015.



Even if Mayor Bloomberg vetoes the bill, the council will likely override it, making the law effective anyway. This will impact the employers of more than one million employees who currently have no paid sick days provided for them. The costs to be borne by those employers weren't provided in any public announcements.

The AFL/CIO explained [why such legislation was needed](#):

In addition to the potential loss of wages for working families, the lack of paid sick days forces many people to go to work when they are contagious and [make] co-workers and customers sick.

No paid sick time also decreases [the] productivity for workers who show up unable to perform to their normal level of ability.

The Center for Popular Democracy (CPD) [was joyous over the vote](#), calling it "a historic agreement to give over one million New Yorkers the right to take paid days off from work to care for themselves or a sick family member. The new legislation represents a major step forward for workers' rights." The CPD was joined by Make the Road New York; 32 BJ SEIU, the largest property service workers union; NYC City Council's Progressive Caucus; the Working Families Party; A Better Balance; and the NY Paid Sick Leave Coalition.

Bill Lipton of the Working Families Party [was equally ecstatic](#): "This is a sweet victory. It provides economic security for New Yorkers, and a shot in the arm for the paid sick days movement across the country."

The bill was first introduced by council member [Gale Brewer](#), a permanent politician and long-time progressive political activist, [back in July 2009](#) but went nowhere for nearly four years, owing to resistance by City Council Speaker Christine Quinn. Quinn's change to allow a vote [coincided nicely with her announcement in March to run to succeed Mayor Bloomberg](#).

Brewer exulted in the victory:

After 4 years of non-stop advocacy and coalition building, I want to thank the Paid Sick Days Coalition members and my Council colleagues with all my heart for support [of my bill] and never giving up.

I also extend my thanks to Speaker Quinn and her staff for their contributions to this legislation....



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The argument over [paid sick leave] was always about common sense and fairness. I believe this law enshrines the principle that American exceptionalism is not just about large profits and small elites, but a workplace that is safe, fair and respectful of the lives of workers.

Approximately one million New Yorkers will now have the fundamental right to a paid day off when they or a family member falls ill, and no worker will be fired if they must stay home. This is a tremendous accomplishment of which all fair-minded New Yorkers can be proud.

Four major cities have already passed paid sick leave laws — Portland (Oregon), San Francisco, Seattle, and Washington, D.C. — while similar measures are being considered in 20 others. On the national level, two other progressives, Sen. Tom Harkin (D-Iowa) and Rep. Rose DeLauro (D-Conn.), are pushing the [Healthy Families Act](#), which proposes essentially the same thing as Brewer’s bill: seven paid sick days each year required to be paid for by employers with more than 15 employees. The National Partnership for Women & Families [outlined the benefits of such national legislation](#):

- Paid sick days provide families with economic security;
- Providing paid sick days is cost effective to employers;
- Paid sick days reduce community contagion;
- Paid sick days can decrease health care costs.

Each of these assumptions can be rebutted successfully, but none does it better than Ayn Rand, who always asked “At whose expense?” and Henry Hazlitt in his book [Economics in One Lesson](#), which also asked about the unseen consequences of such meddling. The “[broken window fallacy](#)” is also helpful in understanding what progressives refuse to see: Someone must pay for such mandates, usually someone silent or impotent, without enough political influence to stop such “progress” — usually the taxpayers or employers unlucky enough to have a successful business large enough to be included in the mandate.

Some of the unseen consequences would naturally include higher employment costs to the business owners, as these are, in effect, pay raises to employees. The business owners’ higher costs would be reflected in higher prices to consumers, which would likely reduce competitive advantage in a market niche. More likely, however, owners will discover that they can’t afford all the people working for them and will be forced to reduce their payrolls through terminations or attrition. That will increase social costs, as those no longer working will start receiving unemployment benefits provided by the state.

In the longer run, however, making employers less competitive will shrink rather than expand the general economy. Some will not hire new workers. Others may decide to retire, deciding that it’s no longer worth the effort, as government becomes more and more intrusive. Still others may choose to move out of the city, or the state, to more tax-friendly environments, further reducing the city’s economic output.

The biggest cost of all, however, is the continued and growing acceptance of government intervention as a way to solve perceived social “problems” and giving progressives more opportunities to expand the power and reach of government

Perhaps the best rebuttal is to review the bill of rights of another country, well-known to historians, which also had a progressive agenda very similar to that of Quinn, Brewer, and the AFL/CIO. It stated:

Citizens ... have the right to work, that is, are guaranteed the right to employment and payment for their work in accordance with its quantity and quality....



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Citizens ... have the right to rest and leisure ... the reduction of the working day to seven hours ... [and] the institution of annual vacations with full pay....

Citizens ... have the right to maintenance in old age and also in case of sickness or loss of capacity to work ... ensured by the extensive development of social insurance for workers and employees. [Emphasis added.]

These are, of course, the rights enshrined in the [1936 Constitution of the USSR](#).

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