



## **The next fight: NJBIA ready to challenge paid sick-leave plan**

By Andrew George  
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For a third time in just over six months, Stefanie Riehl is dusting off her boxing gloves.

Riehl, the assistant vice president of employment and labor policy with the New Jersey Business & Industry Association, began fighting against mandatory paid sick-leave bills back in September when Jersey City became the first municipality in the state to draft and pass an ordinance requiring employers to offer paid sick time to their workers.

Newark then followed with an ordinance of its own and then on April 8, two state legislators announced the reintroduction of identical statewide bills that will soon be coming to the forefront.

Since the beginning, Riehl has maintained that, while she believes the idea behind mandating paid sick-leave is lined with good intentions, in practice, it's burdensome on businesses.

"The idea is a laudable one, but there are unintended consequences," Riehl said.

As it's currently written, the statewide bill would allow for full- and part-time employees to earn one hour of paid sick time for every 30 hours worked. There is a 40-hour-per-year cap for businesses with nine or fewer employees and a 72-hour-per-year cap for businesses with 10 or more

workers. Unless an employer chooses to start offering paid sick days beforehand, workers begin accruing sick time 90 days after being hired. If passed, New Jersey would join Connecticut as just the second state to have a statewide requirement on its books. However, aside from Jersey City and Newark, policies are in place at the municipal level in cities across the country including San Francisco, Washington, D.C., New York and Seattle.

There is no timetable yet for when the statewide bill will be considered by the Legislature.

At their Statehouse press conference last week alongside the NJ Time to Care Coalition, bill sponsors state Sen. Loretta Weinberg (D-Teaneck) and Assemblywoman Pamela Lampitt (D-Voorhees) said that the legislation will create healthier and safer work environments, which in turn will benefit businesses.

"This bill is the result of a collaboration between our office, advocates and the business community," Lampitt said. "It's the right thing to do for workers, but it will also improve public health. Recent research shows that the policy will also have a positive effect on businesses and the economy." Lampitt said the aim of the bill is to "create the floor" for how businesses should administer paid sick time to their workers. Employers who already offer a better deal than what's being proposed are encouraged to continue doing so.

But as Riehl puts it, "regulation would get in the way of flexibility" and some employers may be forced to discontinue a paid sick time approach that works for their business in favor of a compliant, yet more restrictive, methodology.

"Some of these flexible policies that exist now and work well for employers and employees may not exist," Riehl said if the legislation becomes law. Pete Frattarelli, the Haddonfield-based chair of Archer & Greiner's labor department, says that when you break down the proposed statewide bill,

it's "certainly broader" than what already has been passed in Jersey City and Newark.

Most notably, the new bill takes the yearly cap for businesses with 10 or more employees to 72 hours as opposed to the 40-hour caps seen in the previous two.

"That's a lot, frankly, even for large employers," Frattarelli said.

But with smaller businesses of nine or fewer employees still being required to offer up to 40 hours per year as opposed to much lower thresholds in the municipal bills, complying with the law could become a "significant" task.

"For small employers, it really is just one more layer they have to be concerned about," Frattarelli said.

Some in the business community also see this new push as the latest of a recent string of anti-business regulatory measures in what is already a high-tax state that just upped its minimum wage.

"It's not one issue in it of itself as a standalone that's going to make or break the economy of New Jersey, but it seems like lately it's one thing after another," said Michael Egenton, senior vice president of government affairs for the New Jersey Chamber of Commerce.

By continuing to further regulate how employers choose to run their businesses, the state may be undoing some of the work it has recently done to woo new companies to New Jersey and keep those already here, Egenton said.

"It doesn't give the general business community the feeling that Trenton is really there for them," Egenton said.