

COUNCIL OF THE CITY OF PHILADELPHIA  
COMMITTEE ON PUBLIC HEALTH AND HUMAN SERVICES

Room 400, City Hall  
Philadelphia, Pennsylvania  
Tuesday, February 3, 2015  
11:38 a.m.

PRESENT:

COUNCILWOMAN MARIAN B. TASCO - CHAIR  
COUNCILWOMAN MARIA D. QUINONES-SANCHEZ - VICE  
COUNCILMAN KENYATTA JOHNSON  
COUNCILMAN WILLIAM K. GREENLEE  
COUNCILMAN DENNIS O'BRIEN  
COUNCILWOMAN CINDY BASS  
COUNCILMAN ED NEILSON

ALSO PRESENT:

COUNCILMAN W. WILSON GOODE, JR.  
COUNCILMAN CURTIS JONES, JR.  
COUNCILWOMAN JANNIE L. BLACKWELL

BILLS: 141026

1 - - -

2 COUNCILWOMAN TASCO: Good morning. The  
3 Committee on Public Health and Human  
4 Services will come to order.

5 I'd like to state that we have a quorum  
6 in the presence of Councilman Goode,  
7 Councilman Denny O'Brien, Councilman  
8 Greenlee the sponsor of this Bill, and  
9 Councilman Kenyatta and yours truly.

10 We would like to have the Clerk read the  
11 bill.

12 THE CLERK: Bill No 141026, enacting a  
13 new Chapter 9-4100 of The Philadelphia Code,  
14 entitled "Promoting Healthy Families and  
15 Workplaces," to provide that certain  
16 employees are entitled to paid and unpaid  
17 leave, all under certain terms and  
18 conditions.

19 COUNCILWOMAN TASCO: Thank you. We  
20 welcome all of you here this morning to  
21 present your testimony on behalf of this  
22 legislation that has been in the works for a  
23 long time, and we hope that you will try to  
24 limit your testimony. We have a long

1 witness list and respect the time of the  
2 witnesses and yourself who have come out  
3 today.

4 And so, I recognize Councilman Greenlee  
5 who has done an awful lot of work in  
6 bringing this Bill here at this point today  
7 and ask him to make a few remarks.

8 COUNCILMAN GREENLEE: Thank you, Madam  
9 Chair, and thank you for calling this  
10 hearing.

11 I think it's fair to say we have heard  
12 many comments and opinions over the past  
13 many years on paid sick leave and we'll hear  
14 more today. But when you get past all those  
15 words, all the analysis, all the comments,  
16 all the worst case scenarios that we have  
17 heard, there really is only one basic  
18 question that relevant in my opinion. And  
19 that is, in 2015 in Philadelphia, should  
20 most workers have the right to earn five  
21 paid sick days to attend to the health needs  
22 of themselves and their families? Five  
23 days. Five.

24 (Audience applause.)

1 This very modest regulation has worked  
2 across the country in many cities and some  
3 states and the problems that have been  
4 predicted simply have not occurred.

5 President Obama has included paid sick  
6 leave as a key agenda item for his  
7 administration. In fact, the President's  
8 Sick Leave Plan in some ways is stronger  
9 than the ones we're considering here today.  
10 And let me be clear on that matter, in the  
11 perfect world this would not be the bill I  
12 would be introducing.

13 Ideally, I'd like to see more people  
14 covered, maybe get a day or two more leave a  
15 year. But over the last eight years, we  
16 have tried to compromise on getting fair  
17 legislation, as fair as we could, even while  
18 many opponents were just saying no. We kept  
19 trying because we want to be business  
20 friendly despite what our critics might say.

21 But we also -- and I think this should  
22 also be a priority. How about being worker  
23 friendly, also? And I believe we can do  
24 both.

1 I want to thank Mayor Nutter, Chief of  
2 Staff Gillison who will be testifying in a  
3 minute, Bob Murken from the Mayor's Office  
4 for working together to put forth what we  
5 think is the best Bill we can do today. I  
6 also want to acknowledge the work of the  
7 Mayor's Task Force on paid sick leave for  
8 all they did. And I certainly want to thank  
9 Marianne Bellesorte and all the advocates  
10 for their steadfast support over all of  
11 these many years. And also, I have to  
12 mention my legislative director Noelle  
13 Marconi who has taken this up as, I think,  
14 her life's mission for the last number of  
15 years.

16 So with all that, Madam Chair, in short,  
17 this Bill is fair to all and should be  
18 passed. And I respectfully ask the  
19 Committee, once the hearing is over, to move  
20 this Bill out favorably with a rule  
21 suspension.

22 Thank you, Madam Chair.

23 COUNCILWOMAN TASC0: Thank you very  
24 much.

1 (Audience applause.)

2 We appreciate the hard work you put in  
3 this, Councilman, and your dedicated  
4 commitment to this issue. And I know it can  
5 be frustrating and hard. So, you hung in  
6 there. You've done a good job.

7 COUNCILMAN GREENLEE: Thank you. Thank  
8 you.

9 COUNCILWOMAN TASCO: Are there any  
10 comments from other Members of the Committee  
11 before we begin?

12 (No further comments.)

13 Okay. We will now call the Chief of  
14 Staff, Mr. Everett Gillison to testify.

15 (Approaches Witness Table.)

16 MR. GILLISON: Good morning, Chairman  
17 Tasco, Councilman Greenlee, Members of the  
18 Committee and other Members of Council. I  
19 am Everett Gillison, Chief of Staff for  
20 Mayor Michael Nutter. Thank you for the  
21 opportunity to appear before you today on  
22 behalf of the Mayor and his Administration  
23 and to express enthusiastic support for this  
24 Bill as it is proposed to be amended by

1 Councilman Greenlee.

2 In short, I agree with the statement  
3 that the Councilman just made.

4 COUNCILWOMAN TASCO: Thank you.

5 MR. GILLISON: But let me first begin by  
6 acknowledging for the record the difficult  
7 and fraud history of the proposal before you  
8 this morning.

9 The Mayor of the Administration, like  
10 the sponsor Councilman Greenlee, other  
11 Members of Council and indeed stakeholders  
12 throughout the City all have the experience  
13 to know that mandatory paid sick leave is an  
14 issue that arouses strong opinions and  
15 heated emotions. But the cause of giving  
16 workers a modicum of security to care for  
17 themselves and their loved ones is just and  
18 worthy of the struggle.

19 In the recent past, the City has along  
20 with the rest of the nation and the world,  
21 faced a financial crisis and the worst  
22 economic contraction since the Great  
23 Depression. In Philadelphia, workers,  
24 businesses, City government, Council and the

1 Administration together, I might add,  
2 struggled to survive. As the prior debates  
3 over bringing mandatory paid sick leave to  
4 Philadelphia show, many including the Mayor  
5 and Members of this Council, did not believe  
6 the time had come to ask more of businesses  
7 still reeling from recession while enduring  
8 a slow recovery. But today, today there is  
9 cause for hope.

10 As of last October, unemployment in  
11 Philadelphia was at its lowest rate since  
12 2008. Construction projects are taking off.  
13 Development is strong. People are going  
14 back to work and we have a fresh start in  
15 Harrisburg. Nevertheless, many struggles  
16 continue especially among poor residents and  
17 those in lower wage jobs. Indeed, even in  
18 boom times, workers in jobs without sick  
19 leave benefits face lost pay or even  
20 dismissal if they had to take time off to  
21 care for their own health, the health of a  
22 child or an elder or to recover and rebuild  
23 in the face of domestic violence or sexual  
24 assault.

1       It is against this more hopeful backdrop  
2 still marred by the unmet needs of many  
3 workers that the Mayor convened a Task Force  
4 on paid sick leave. The Task Force charge  
5 was to conduct a thorough and balanced  
6 review of the impact on both employers and  
7 employees of requiring paid sick leave in  
8 Philadelphia.

9       The Task Force, co-chaired by Natalie  
10 Levkovich and Dan Calista, represented a  
11 balanced set of experts and professionals  
12 from the worker, employer and public health  
13 perspectives. On behalf of Mayor Nutter and  
14 the Administration, I want to thank all Task  
15 Force members and staff, commending them for  
16 their work and acknowledge their significant  
17 contribution in helping to shape the  
18 discussion, debate and final bill and  
19 amendments before us today. They have done  
20 their work and they have done it well.

21       With policy and business expertise,  
22 earnest debate and listening, the Task Force  
23 produced a single report reflecting real  
24 consensus. In many significant ways, the

1 bill now before the Committee is consistent  
2 with the recommendations of the Task Force.  
3 For instance, the accrual rate is one hour  
4 of sick leave for every 40 hours worked,  
5 which is essentially five days a year when  
6 working full time. Leave may be used not  
7 just for the employees own health needs but  
8 to attend to family members or to deal with  
9 domestic violence, sexual assault or  
10 stalking.

11 Employees with existing policies that  
12 meet the Bill's requirements will not be  
13 required to alter those policies, and labor  
14 and management alike are -- remain free to  
15 work out their own paid sick leave benefits  
16 through collective bargaining.

17 Mayor Nutter believes that the time for  
18 paid sick leave has come. It will be a boon  
19 to those who need it to take care of  
20 themselves, their children and their  
21 families while holding down a job. It is a  
22 step forward for the health of  
23 Philadelphians. And the reasonable scope of  
24 the basic benefit should not be an undue

1 burden to businesses.

2       Nevertheless, once paid sick leave is in  
3 effect, it will be critical the closely  
4 evaluate the one year report that the Bill  
5 requires to heed the feedback of both  
6 employees and employers and to remain open  
7 to making whatever adjustments are warranted  
8 so that paid sick leave is a win/win for all  
9 stakeholders.

10       I would like to thank Councilman  
11 Greenlee for engaging in earnest and  
12 productive discussions with the  
13 Administration about the Bill and  
14 particularly with respect to amendments that  
15 will facilitate enforcement. More  
16 importantly, Councilman Greenlee is to be  
17 commended for his thoughtful and focused  
18 advocacy and also his willingness to make  
19 adjustments and amendments both to this Bill  
20 and relative to prior bills.

21       Mayor Nutter believes these changes will  
22 make the Bill easier to implement, stronger  
23 and more effective. The Mayor strongly  
24 believes this Bill and its proposed

1 amendments are the best example of  
2 compromise, consensus building and just  
3 plain good public policy. This Bill and the  
4 surrounding efforts can be a model for how  
5 we all deal with highly controversial issues  
6 while moving Philadelphia forward.

7 I thank you for the opportunity to  
8 testify before the Committee today. I would  
9 be happy to address any questions from the  
10 Committee. Before I do that, I want to note  
11 that the Department of Health has submitted  
12 a written statement regarding the public  
13 benefits of paid sick leave. And I  
14 respectfully ask that it be included in the  
15 record. I also respectfully request that  
16 the Committee include in the record the Task  
17 Force report which I have attached to my  
18 written testimony.

19 And I thank you.

20 COUNCILWOMAN TASC0: Thank you. We will  
21 do that as you request.

22 MR. GILLISON: Thank you.

23 COUNCILWOMAN TASC0: Are there are  
24 questions on behalf -- before we go to the

1 question, let me recognize that Councilwoman  
2 Quinones-Sanchez is a Member of the  
3 Committee and has arrived, and Councilman  
4 Neilson came in during the testimony.

5 Councilman Kenyatta.

6 COUNCILMAN JOHNSON: Thank you very  
7 much, Madam Chair.

8 I just want to publicly acknowledge the  
9 work of my colleague Councilman Bill  
10 Greenlee but also the Mayor of Philadelphia  
11 Michael Nutter for putting together the Task  
12 Force and working in partnership with  
13 Councilman Bill Greenlee to come up with a  
14 compromise that will be supportive of the  
15 business community but also supportive of  
16 those who are most in need, which are the  
17 workers.

18 And so, I just want to publicly  
19 acknowledge that we do do great work in the  
20 City of Philadelphia when there's a good  
21 working relationship between the second  
22 floor administration and members of City  
23 Council. So, I want to publicly acknowledge  
24 the work of our Mayor and his team in

1 working with Councilman Bill Greenlee in  
2 making this Bill come to fruition.

3 Thank you very much.

4 COUNCILMAN GREENLEE: Thank you.

5 COUNCILWOMAN TASCO: Thank you very  
6 much, Councilman.

7 We recognize Councilman Greenlee.

8 COUNCILMAN GREENLEE: Thank you, Madam  
9 Chair, and I appreciate Councilman Johnson's  
10 comments. And I certainly agree with him on  
11 the cooperation the Administration had  
12 given.

13 Mr. Gillison, you agree with what I  
14 said. I agree with everything you said,  
15 too, okay? I want that noted for the  
16 record. And the amendments that you refer  
17 to will certainly be offered at the meeting.  
18 And just for the record, working with  
19 Mr. Murken and the rest of the  
20 Administration on the enforcement issue, I  
21 think we worked out everything there. And I  
22 would say most of the other are  
23 clarification amendments.

24 MR. GILLISON: I agree.

1 COUNCILMAN GREENLEE: Just make it clear  
2 what the intent of the Bill is.

3 MR. GILLISON: I agree totally.

4 COUNCILMAN GREENLEE: It doesn't change  
5 that much. Again -- but again, thank you.  
6 I know we met. You're the first one that  
7 came up and talked to me about the Task  
8 Force idea. I think it worked very well.  
9 And again, it's always better when we all  
10 work together.

11 MR. GILLISON: I agree.

12 COUNCILMAN GREENLEE: Thank you, sir.  
13 Thank you, Madam Chair.

14 COUNCILWOMAN TASCO: Thank you. And the  
15 testimony from the --

16 MR. GILLISON: Health Department.

17 COUNCILWOMAN TASCO: -- Health  
18 Department will go along with your  
19 testimony.

20 MR. GILLISON: I appreciate it.

21 COUNCILWOMAN TASCO: Councilwoman  
22 Sanchez.

23 COUNCILWOMAN QUINONES-SANCHEZ: Thank  
24 you. I just also wanted to kind of echo the

1 words. This has been kind of a long journey  
2 here. And I do want to thank the  
3 Administration for establishing the Task  
4 Force and allowing the kind of input. I  
5 think that always helps us get to better  
6 legislation.

7 And want to personally acknowledge the  
8 hard work and the persistence of Councilman  
9 Greenlee. He worked very strongly on this  
10 and collaborated with all of us in Council  
11 and meeting after meeting after meeting and  
12 really tried to be as inclusive and -- as he  
13 possibly could.

14 And so, I just want to acknowledge that,  
15 you know, today is an important day in us  
16 signaling that as a City we recognize that  
17 prosperity for all is achievable and that we  
18 recognize that our huge poverty rate in this  
19 City is one that we have to tackle together  
20 with -- with deliberate policy that sends a  
21 message about accountability but also the  
22 fact that we appreciate low wage workers in  
23 the City.

24 When I think about that woman who has to

1 make decision whether she has to stay home  
2 with their child who is sick or goes to work  
3 and what that means, I think it's a  
4 tremendous step in the right direction. So,  
5 I want to publicly acknowledge the Mayor  
6 who, like Business Tax Reform, started in  
7 one place and listened and we ended up in a  
8 better place for everyone.

9 So, thank you very much. Thank you.

10 Congratulations to Councilman Greenlee.

11 COUNCILWOMAN TASCIO: Okay. We have our  
12 Panel Two: Sherry Leiwant, Ellen Bravo,  
13 Jessica Milli.

14 (Panel approaches table.)

15 We would appreciate if you limit your  
16 testimony to three minutes. We have eight  
17 panels, and that will help a lot.

18 All right. Ms. Leiwant.

19 MS. LEIWANT: Thank you. Good  
20 afternoon. Thank you so much. I want to  
21 thank Councilmember Greenlee for all of his  
22 work on this Bill and thank you to the  
23 Councilmembers for inviting us to testify.

24 My name is Sherry Leiwant. I am

1 copresident of a Better Balance, which is a  
2 national legal advocacy organization that's  
3 been writing paid leave sick days laws  
4 around the country. And we've been working  
5 with advocates and legislators here in  
6 Philadelphia, as well.

7 When this process began here in  
8 Philadelphia in 2008, only San Francisco had  
9 passed paid sick days -- paid sick days law.  
10 Now there are three states and sixteen  
11 localities that require businesses to  
12 provide a minimal amount of paid sick time  
13 to their workers.

14 My testimony, which you have in writing  
15 and I will condense because I respect the  
16 three minute --

17 COUNCILWOMAN TASC0: Excuse me. Let me  
18 interrupt you for a moment.

19 MS. LEIWANT: Yeah, sure.

20 COUNCILWOMAN TASC0: All of the  
21 testimony presented will be a part of the  
22 record, so you don't necessarily have to  
23 read the entire testimony.

24 MS. LEIWANT: Of course.

1 COUNCILWOMAN TASC0: Because the entire  
2 presentation will be a part of the public  
3 record.

4 MS. LEIWANT: Right. Thank you.

5 So, I just wanted to make the point very  
6 strongly that this -- this law is very  
7 much -- is very similar in structure and  
8 content to the laws that have been passed  
9 around the country and have been  
10 successfully implemented. There have been  
11 very few -- there have been very few  
12 complaints filed in the jurisdictions where  
13 these laws have been passed. And there have  
14 been no complaints about negative impact on  
15 business or on the economy.

16 And so, I refer you to my testimony.  
17 They -- for your convenience, there is an  
18 attachment that has a list of all the laws.  
19 And since I sent the testimony in last week,  
20 another city has passed paid sick days,  
21 Tacoma, Washington. So, there will be many,  
22 many more in the months to come as we are  
23 working on those -- those proposals. And  
24 has been noted, the President has called on

1 states and localities to pass paid sick  
2 time, as well.

3 I just wanted to emphasize because there  
4 has been a lot of talk about a carve out for  
5 smaller businesses and the size of that  
6 carve out. And we are now at ten. The  
7 prior proposals had had five. That is a --  
8 that carve out is the largest of any  
9 municipalities that have enacted this law.  
10 And so, I would really urge the Council and  
11 to -- not to enlarge that carve out any more  
12 than ten. Everyone needs paid sick time.  
13 And the principals behind paid sick time,  
14 which you all know and I know you support,  
15 are not any different from workers in  
16 smaller than in larger businesses.

17 As to the carve out for under ten, we  
18 really applaud you for adding at least  
19 unpaid sick time protection. And we hope  
20 that will stay in the Bill so that people  
21 can't be fired for taking paid sick time.  
22 So, yeah. I just -- there are plenty  
23 provisions in this Bill that do support  
24 business and will make it easier for them to

1 implement this. And I just want to focus on  
2 those, as well. I think it's a great  
3 balance between the needs of workers and the  
4 needs of business. I think it's an  
5 excellent bill.

6 I did a brief survey of some of the --  
7 some of the cities where paid sick time has  
8 been implemented. San Francisco, for  
9 example, which has been in effect since 2007  
10 only has had 400 complaints in all of that  
11 time. I know that there is some concern by  
12 the Administration about enforcement, but it  
13 has not been a problem in San Francisco. It  
14 has not been a problem in Seattle where  
15 there have been about a hundred complaints  
16 since passage a year and a half ago.

17 In closing, the Bill -- this Bill  
18 provides a very -- an excellent solution to  
19 the problem of the lack of paid sick time  
20 for 40 percent of the Philadelphia  
21 workforce. It's worked in other  
22 jurisdictions throughout the country. It  
23 considers the needs of both workers and  
24 employers. And we hope that the Bill will

1 be enacted and signed into law very soon.

2 Thank you so much.

3 COUNCILWOMAN TASC0: Thank you very  
4 much.

5 MS. BRAVO: Thank you --

6 COUNCILWOMAN TASC0: Let me recognize --  
7 excuse me. Let me recognize Councilwoman  
8 Cindy Bass.

9 MS. BRAVO: Oh, sorry. Go ahead.

10 COUNCILWOMAN TASC0: And Councilman  
11 Curtis Jones is in his seat. Thank you.

12 MS. BRAVO: Okay. My name is Ellen  
13 Bravo. That's B, as in beneficial; R,  
14 reasonable; A, advantageous; V, vital; and  
15 O, overdue. Really proud to be here.

16 (Applause and laughter.)

17 I help lead a network called Family  
18 Values At Work, coalitions in twenty-one  
19 states that include the sixteen cities and  
20 three states that have helped more than nine  
21 and a half million people be able to earn  
22 paid sick days. And I feel like I'm coming  
23 back from the future, this is that year, to  
24 bring you good news because we know what it

1 looks like and what your City will look  
2 like.

3 So, for example, we had a number of  
4 members who wrote letters to the President  
5 asking him to make the very statement of  
6 support that he did in the State of the  
7 Union. One of them is a seamstress in  
8 Portland name Erin. And she talked about  
9 waking up one morning aching so badly she  
10 literally didn't know how to get up without  
11 help. And she said, I had a few minutes of  
12 panic and anxiety and then I remembered that  
13 we won paid sick days and I could take care  
14 of myself and still feed my kids.

15 So we need to remember, that's what paid  
16 sick days means, that you don't get docked  
17 your pay or risk your job for being a good  
18 parent or following doctors orders. That's  
19 good news, number one.

20 Good news number two is, these bills  
21 have been in effect long enough in a number  
22 of places that there is a growing body of  
23 evidence that has completely shredded the  
24 predictions of doom and that has lots of

1 quantitative data. And you will hear some  
2 more of this from Jessica Milli in a moment.  
3 I just want to remind you that the chief  
4 lobbyist of the Golden Gate Restaurant  
5 Association in San Francisco several years  
6 after the Bill actually went into effect  
7 told the business reporter, you know what,  
8 it's the best public policy for the least  
9 cost. After all, you don't want your server  
10 coughing over your food.

11 Good news number three, every one of our  
12 coalitions has business partners. And here  
13 is what they tell us, and you will hear from  
14 some of your own business leaders on this  
15 issue. We already do it because it's the  
16 smart as well as the right thing to do. But  
17 we want there to be a minimum standard for  
18 everyone to do it because other people's  
19 workers are our customers. And if they lose  
20 a paycheck or a job because they were sick  
21 or they were caring for a sick loved one  
22 like we tell them to do, then they don't  
23 come to my auto repair shop or my deli or  
24 buy my shoes. It's good for the economy and

1 good for businesses to do this.

2 Here is another good news as Sherry  
3 Leiwant pointed out, these are not difficult  
4 to administer. So Donna Levitt is the name  
5 of the administrator in San Francisco. She  
6 came to testify in Connecticut. And she  
7 said to them and I am going to quote:

8 "Since the law took effect that was in  
9 2007, we have heard relatively few problems.  
10 I'm not aware of any employer in San  
11 Francisco who has reduced staff or made any  
12 other significant change in their business  
13 as a result of the Sick Leave Ordinance."

14 And finally, I want to remind you how  
15 voters feel about this. It's wildly popular  
16 across all political demarcations, all  
17 demographics. It's a really urgently needed  
18 and huge help. Thank you for reminding us  
19 Councilmembers Sanchez about the importance  
20 of low wage workers and the need, as your  
21 Task Force pointed out, that paid sick days  
22 is a measure of job security and income  
23 stability.

24 We applaud you for becoming what will

1 soon be the seventeenth city. We especially  
2 want to applaud Councilmember Greenlee,  
3 Marianne Bellesorte and the Earned Sick Time  
4 Coalition. We can't wait to celebrate with  
5 you.

6 Thank you so much.

7 (Applause.)

8 COUNCILWOMAN TASCO: Thank you. Thank  
9 you so much. That's very important to share  
10 what's happening nationally and the result  
11 of the action taken in other cities across  
12 the country. Appreciate you taking the time  
13 to come here to share that with us.

14 Ms. Milli.

15 MS. MILLI: Thank you for the  
16 opportunity to address the question of how  
17 paid sick days policy will impact the  
18 Philadelphia community. My name is Jessica  
19 Milli. I'm a senior research associate at  
20 the Institute for Women's Policy Research in  
21 Washington, DC.

22 IWPR conducts data analysis and  
23 disseminates its findings and form policy,  
24 address the needs of women, strengthen

1 families, communities and society. And as  
2 part of this mission, IWPR has been  
3 conducted estimates of the costs and  
4 benefits of paid sick days over a decade.

5 In Philadelphia specifically, IWPR  
6 released two reports in early 2013  
7 documenting both the cost and benefits of a  
8 previously proposed paid sick days law. We  
9 estimated that the cost to employers would  
10 be approximately \$0.25 per hour to cover  
11 workers who currently lack paid sick days.  
12 These estimates are in agreement with  
13 national data from the Bureau of Labor  
14 Statistics that estimate that the average  
15 cost of providing paid leave in 2014 to be  
16 only \$0.34 per hour.

17 Costs are even lower in some  
18 occupational categories, particularly in  
19 those who have very few workers currently  
20 covered by paid sick days policies. For  
21 example, \$0.14 per hour in service  
22 occupations. As a proportion of wages, the  
23 cost of providing paid sick days amounts to  
24 about 1.5 percent of a worker's hourly wage,

1 which is approximately equal to cost of  
2 living adjustment in 2015.

3 Many times estimates of how much it will  
4 cost to provide this benefit to workers are  
5 much larger than those the IWPR calculates.  
6 Though the reasons behind these large  
7 estimated costs vary from source to source,  
8 they are often based on mistaken  
9 assumptions. The most common of these is  
10 that every employee covered will take every  
11 single sick day that is available to them.  
12 And data from the National Health Interview  
13 Survey prove otherwise, suggesting that the  
14 average use of sick days is only about 2.3  
15 days per year and many workers do not even  
16 take a single day off in a given year for  
17 illness.

18 The monetary benefits of paid sick days  
19 policies are less straightforward to  
20 quantify. But IWPR has estimated that a  
21 paid sick days policy will result in a  
22 significant net savings in the Philadelphia  
23 community. Employers are projected to see  
24 the cost of implementing paid sick days

1 defrayed by a reduction in cost associated  
2 with employee turnover. Preventing  
3 workplace contagion of communicable diseases  
4 will save employers millions of additional  
5 dollars. Contagion prevention will also  
6 save millions in health expenditures by  
7 families, insurers and public agencies while  
8 also improving the quality of life for  
9 residents of Philadelphia.

10 Overall, we estimate a net savings of  
11 \$24.8 million per year and about \$600,000 of  
12 which represents the savings to employer.  
13 For more details on our methodology and  
14 findings, I refer you to IWPR's two reports  
15 on paid sick days in Philadelphia from 2013  
16 which are available on our website  
17 [www.IWPR.org](http://www.IWPR.org).

18 And I welcome any questions regarding  
19 the cost and benefits of implementing a paid  
20 sick days policy in Philadelphia as well as  
21 questions on paid sick days policies in  
22 general.

23 Thank you.

24 COUNCILWOMAN TASC0: Thank you very

1 much. Questions from Members of the  
2 Council?

3 (No questions asked.)

4 Thank you for your information taken.

5 Thank you for coming to share with us the  
6 information from other places and the  
7 documentation you presented. Thank you.

8 Our next panel is Ms. Natalie Levkovich  
9 and Amal Bass.

10 (Panel approaches table.)

11 MS. LEVKOVICH: Good morning.

12 COUNCILWOMAN TASCIO: Good morning.

13 MS. LEVKOVICH: I'm very excited to  
14 testify in support of paid sick leave  
15 legislation today, and thank you for this  
16 opportunity. Having co-chaired the Mayor's  
17 Task Force on paid sick leave, I have had  
18 the opportunity to carefully review, debate  
19 and consider the implications of the policy  
20 both in the context of Philadelphia and  
21 other jurisdictions that have passed similar  
22 legislation.

23 In the course of the Task Force  
24 deliberations, there were very diverse

1 opinions represented. And what we -- what  
2 we accomplished and what we reached in our  
3 final report was a compromise position. So  
4 while I endorse the process and largely  
5 support the recommendations of the Task  
6 Force, I would like to share with you today  
7 the views that I personally bring to this  
8 question.

9 I'm an employer of public health  
10 professional and a lifelong concerned  
11 citizen of this City. Wearing those hats, I  
12 firmly believe that we need a minimum paid  
13 sick leave mandate in Philadelphia. It is a  
14 matter of health, economic stability and  
15 fairness.

16 In reviewing the proposed bill, I find  
17 that it aligns well with the intent of the  
18 Task Force report as well as most of its  
19 recommendations. It's consistent with the  
20 standards contained in the ordinances of  
21 cities that have preceded us in enacting  
22 paid sick leave policies. And when compared  
23 with the Bill that was approved by Council  
24 in 2013, represents a further compromise in

1 a number of its provisions.

2 This Bill has been seven years in the  
3 making given the time, money and effort  
4 spent on the debate regarding this modest  
5 though essential benefit, it would seem that  
6 the time to enact paid sick leave for  
7 Philadelphia workers is overdue.

8 Therefore -- (applause). Therefore, I  
9 fully support passage of the ordinance and  
10 endorse without reservation its provisions.

11 As an employer, I'm committed to  
12 offering generous paid sick leave because it  
13 contributes to a culture of health within my  
14 organization and to employee satisfaction,  
15 loyalty and productivity. By making  
16 employees feel valued, we protect our  
17 investment in our workforce and model the  
18 care that we expect them to offer to our  
19 clients. Furthermore, we consider this to  
20 be a positive investment in the economy, in  
21 our quality of life and in our sense of  
22 shared opportunity and fairness.

23 As our economy has steadily improved  
24 since the recession, income and equality has

1 grown and poverty in Philadelphia has  
2 remained steady. So, we have not all  
3 enjoyed the benefits of economic recovery.

4 Can this be good or healthy for any of  
5 us? Is this a scenario in which we can feel  
6 safe and morally justified? Is this  
7 something of which we can be proud as we  
8 promote Philadelphia as a world class city  
9 and as a desirable place to live, learn,  
10 work and play?

11 I do not believe that our prosperity  
12 hangs on denying basic benefits enjoyed by  
13 the majority to so many of our most  
14 vulnerable citizens, and that the hardship  
15 borne by the least advantaged among us is the  
16 reasonable or necessary price of a healthy  
17 economy.

18 Low income workers, people of color and  
19 women are disproportionately effected by the  
20 absence of a paid sick leave mandate. Those  
21 who lack paid sick leave are forced to make  
22 impossible decisions that they or their --  
23 when they or their dependents or sick to  
24 take time off for their recovery can

1 jeopardize their families financial needs.

2 In some cases, to take time off my even lead  
3 to losing their job altogether.

4 Would any of us want to make that choice  
5 when we or a spouse or a child is sick?

6 I'm going to condense this. You have it  
7 in front of you in the interest of time.

8 The -- but I would be remiss as a public  
9 health professional if I didn't point out  
10 that there is overwhelming consensus from  
11 scientists and public health experts  
12 representing the academic, government  
13 research and policy sectors that the absence  
14 of paid sick leave increases the public --  
15 the risk to the public health through  
16 increased incidence of contagion.

17 Similarly, there is little question that  
18 the absence of paid sick leave leads to poor  
19 health and more expensive care for  
20 individuals and families. When people can't  
21 access preventive health services or timely  
22 treatment of illness including rest, their  
23 health conditions become more serious or  
24 take longer to resolve. And the care they

1 eventually need is likely to be more  
2 extensive and expensive.

3 In other words, the impact of health is  
4 the -- on health is the exact opposite of  
5 what we all want, a healthier population and  
6 reduced healthcare costs. These are some of  
7 the issues that I ask you to consider in  
8 casting your vote for Bill 141026.

9 Thank you.

10 COUNCILWOMAN TASCO: Thank you so much  
11 for your testimony.

12 Ms. Bass.

13 MS. BASS: Good afternoon. My name is  
14 Amal Bass. I'm a staff attorney at the  
15 Women's Law Project, a nonprofit legal  
16 advocacy organization based in Philadelphia  
17 that advances the rights of women.

18 Thank you to sponsors of this Bill and  
19 also to the Committee for giving us an  
20 opportunity to comment on the need for a  
21 city ordinance establishing paid sick leave.  
22 I will keep my remarks brief today, but we  
23 have submitted a more detailed written  
24 testimony that you should already have.

1 Today, many working women are forced to  
2 shoulder a disproportionate share of  
3 childcare and elder care at home without  
4 access to job protected leave. Currently,  
5 the Federally -- Federal Family Medical  
6 Leave Act, FMLA, provides up to twelve weeks  
7 of leave to some employees to address  
8 serious medical needs, but it is unpaid and  
9 many employees do not meet the FMLA's  
10 requirements.

11 Workers without access to paid leave are  
12 forced to go to work when they are sick or  
13 when a family member needs care because they  
14 cannot lose a day of pay and they cannot  
15 risk losing their jobs. The lack of paid  
16 sick leave has dire health consequences for  
17 employees, their families and the public.  
18 Working while sick delays recovery time and  
19 delays access to healthcare. It increases  
20 visits to the emergency room, as well,  
21 adding to healthcare costs overall. It  
22 harms children who have longer recovery  
23 times and have fewer well or sick visits  
24 when their parents don't have leave. And it

1 encourages the spread of contagious diseases  
2 like the flu.

3 As the Bill's findings highlight, CDC  
4 guidelines recommend that people  
5 experiencing the flu avoid public contact  
6 for a few days. But workers cannot abide by  
7 these recommendations and protect the health  
8 of their coworkers and the public without  
9 access to paid sick leave. Reducing the  
10 spread of illness to coworkers is just one  
11 of the ways earned paid sick leave benefits  
12 employers.

13 Some studies estimate that sick  
14 employees are only half as productive at  
15 work. Family friendly policies like paid  
16 sick leave also enhances employee retention  
17 and morale resulting in higher levels of job  
18 satisfaction and higher levels of  
19 engagement, making these policies good for  
20 business.

21 Speaking about the Bill specifically,  
22 there are a few features I would like to  
23 highlight.

24 First, while the Woman's Law Project

1 would prefer a lower employer threshold  
2 size, we commend the requirement that  
3 employees who are otherwise unable to  
4 receive earned paid sick leave under this  
5 chapter will receive unpaid leave.

6 Second, we also commend the inclusion of  
7 part-time workers who are often excluded  
8 from protection under the FMLA.

9 Third, we appreciate the inclusive and  
10 realistic definition of family members whom  
11 an employee make take paid leave.

12 And fourth, we appreciate the provision  
13 of paid leave for reasons related to  
14 domestic and sexual violence. Currently,  
15 victims in Philadelphia have the right to  
16 take unpaid leave, but availability of paid  
17 leave better enables them to take the steps  
18 necessary to escape violence.

19 We strongly support this Bill, though we  
20 do wish it went farther to protect more  
21 people such as adjunct faculty members, many  
22 of whom are women who are less likely than  
23 their male peers who receive tenure. Many  
24 of these academics live below poverty line

1 and we worry that excluding them from  
2 protections of this ordinance may further  
3 marginalize them.

4 Overall, however, we believe that the  
5 time has come for the City of Philadelphia  
6 to adopt paid leave legislation. It would  
7 protect the health of women and their  
8 families, address public health concerns and  
9 promote efficiency and stability for the  
10 City's businesses.

11 Thank you again for the opportunity to  
12 present this testimony.

13 COUNCILWOMAN TASCO: Thank you for your  
14 testimony.

15 Councilman.

16 COUNCILMAN GREENLEE: Thank you, Madam  
17 Chair. Real quick, I know we got a lot of  
18 people testifying here. Thank you both for  
19 your testimony and all the work you've done.

20 Ms. Levkovich, Natalie, thank you as the  
21 co-chair of the Task Force. Just had one, I  
22 guess, just wanted to find an issue you  
23 talked about here. You said that this is  
24 a -- the report was really a compromise. I

1 particularly want to talk -- mention the  
2 whole issue of the carve out. And as I said  
3 in my opening statement, I agree with  
4 Ms. Bass. I'd like it to be lower, too.  
5 You know, legislation it is what it is.

6 But there were people, members of the  
7 Task Force, that wanted it as high as 50.  
8 Is that not right?

9 MS. LEVKOVICH: That is correct.

10 COUNCILMAN GREENLEE: Okay.

11 MS. LEVKOVICH: There were members who  
12 wanted no carve out or a carve out of 5 as  
13 in your original legislation. And others  
14 who wanted 50 and there were various  
15 compromise points in between. We negotiated  
16 and landed on 15.

17 COUNCILMAN GREENLEE: And it's true, as  
18 you stated, that the vast majority of the  
19 Bill is consistent with the Task Force  
20 recommendation.

21 MS. LEVKOVICH: Absolutely. Absolutely.

22 COUNCILMAN GREENLEE: Okay. Again, I  
23 know it was a lot of work.

24 MS. LEVKOVICH: Yes, it was.

1 COUNCILMAN GREENLEE: For all that high  
2 pay you got, which was nothing, so I  
3 appreciate everything you did and the work  
4 of the whole Task Force.

5 Ms. Bass, I know we talked before. And  
6 I appreciate all the Women's Law Project  
7 does. I take your -- I understand your  
8 comments. I wish it was a little stronger  
9 too, but we are where we are.

10 MS. BASS: Thank you.

11 COUNCILMAN GREENLEE: Thank you. Thank  
12 you both. Thank you, Madam Chair.

13 COUNCILWOMAN TASCO: Thank you. And let  
14 me say when we pass legislation in this  
15 Council, it's not the end. We can always  
16 review it. We can always amend it. So as  
17 we work through and see how this works in  
18 the City of Philadelphia, we may want to  
19 tweak it again later on down the line. And  
20 that is your right and privilege as a  
21 citizen, and it's the responsibility of the  
22 Council to listen. So we are, you know --  
23 and they will be open -- I won't be here --  
24 to certainly review this piece of

1 legislation which is so important and  
2 serious that it's never set in stone. We  
3 can always come back and review it and  
4 amend.

5 MS. LEVKOVICH: Thank you.

6 MS. BASS: Thank you.

7 COUNCILWOMAN TASC0: Thank you very much  
8 both of you for your testimony.

9 Next we have Ms. Fatima Hasan, Khalid  
10 Pitts, Jason McCarthy.

11 (Panel approaches table.)

12 Good morning. Ms. Fatima Hasan.

13 MS. HASAN: Yes. I'm Fatima Hasan. And  
14 I'd like to say good afternoon and --

15 COUNCILWOMAN TASC0: You have to speak  
16 into the mic so we can hear you. We have  
17 old ears.

18 MS. HASAN: Good afternoon, Philadelphia  
19 City Councilperson Marianne Tasco, Vice  
20 Chair Maria Sanchez -- am I saying it  
21 correctly? Sorry -- and Kenyatta Johnson  
22 who just stepped off and Dennis O'Brien,  
23 Cindy Bass and Ed Neilson. I'm happy to  
24 here this afternoon.

1 COUNCILWOMAN TASC0: You have to speak  
2 into the microphone. Pull it up closer --

3 MS. HASAN: Okay. Can you hear me  
4 better?

5 COUNCILWOMAN TASC0: -- so we can hear  
6 you. We can't hear you.

7 MS. HASAN: Can you hear me now?

8 COUNCILWOMAN TASC0: No.

9 MS. HASAN: Can you hear me?

10 COUNCILWOMAN TASC0: We can now.

11 MS. HASAN: I'm happy to be here this  
12 afternoon testifying on behalf of the earned  
13 sick days. My name is Fatima Hasan, and I'm  
14 the owner and director of Places and Spaces  
15 for Growth Learning Center which is a  
16 daycare center located in the Overbrook Farm  
17 section of Philadelphia.

18 I have been in business for 17 years.  
19 And Places and Spaces is licensed for 26  
20 children. I have a small childcare center.  
21 However, we have four full-time teachers and  
22 one part-time lunch assistant. My center  
23 proudly participates in the Keystone STAR  
24 Program and we have a three-star rating.

1 As an advocate for early childhood  
2 education, I have been working diligently to  
3 have the community respect the work we do  
4 and support the families we serve. I am a  
5 member of DAEYC, which is Delaware  
6 Association of Education of Young Children.  
7 I have participated as a member of the  
8 former child space CDI and I -- where I have  
9 learned the value of what I do.

10 I have participated in action in  
11 Harrisburg visiting my legislators and  
12 discussing the importance of childcare and  
13 how it affects our community and the  
14 families we serve. I've also involved --  
15 have been involved with the Southeastern  
16 Pennsylvania Early Childhood Coalition  
17 meetings to share in discussions about the  
18 state budget and how it affects our  
19 businesses. I share and care about my  
20 profession, so I care about the people I  
21 employ.

22 Early child education has changed and  
23 developed over the last ten years. With  
24 Philadelphia having over 7,000 childcare

1 facilities, our voices in the field of  
2 education and economic growth has expanded.  
3 We are moving past being considered  
4 glorified babysitters with little or no  
5 education. Childcare providers are going  
6 back to school, educating themselves about  
7 the development of children. And for that,  
8 they should be compensated.

9 We are providing a service that deserves  
10 to be compensated with the job security.  
11 This is why passing this Bill is important  
12 to me and all who share in our growth. So,  
13 I offer earned sick pay to my employees. It  
14 just makes sense to do it.

15 (Applause.)

16 Understanding the importance of caring  
17 for children and for ourselves make it too  
18 costly not to pay for sick leave. To keep  
19 down the spread of colds, flu and other  
20 common illnesses, we at Places and Spaces  
21 have a policy in place that requires  
22 children to stay home until they are no  
23 longer contagious. This will keep them from  
24 spreading germs to the other children and

1 staff from getting sick.

2 Because the chance of catching colds is  
3 part of what staff do -- have to endure on a  
4 daily basis, if a child gets sick or if they  
5 have a loved one that they have to care for,  
6 it would be a disservice to my staff if I  
7 did not advise them to do the same. It  
8 would be more of a disservice not to pay  
9 them for missed days.

10 I believe that treating and respecting  
11 my staff in a professional manner will in  
12 turn keep them regarding their work as  
13 important as well retaining the same staff  
14 for a longer period of time. When staff is  
15 consistent, children and parents benefit;  
16 therefore, your childcare center benefits.

17 In the field of early child education,  
18 we still have a long way to go by  
19 compensating staff more for the work that  
20 they do: Offering vacation days, personal  
21 paid time off as well as providing  
22 retirement plans. After all, we are  
23 developing and educating nurturing our  
24 future teachers, doctors, lawyers,

1 politicians, artists, chefs, et cetera.  
2 Promoting a healthy workplace by offering  
3 paid sick leave is just a start, but it's an  
4 important start.

5 So, please vote yes to earned sick  
6 leave. Advocating for the importance of  
7 education during the early years and for the  
8 respect and acknowledgement of the  
9 professionals in the field should be a  
10 community effort. By saying yes to this  
11 Bill, we show not only childcare  
12 professionals but all Philadelphian workers  
13 that they are valued.

14 Thank you very much for giving me this  
15 opportunity to speak about such an important  
16 matter.

17 COUNCILWOMAN TASCO: Thank you very  
18 much.

19 (Applause.)

20 Mr. Khalid Pits.

21 MS. BASS: Hi, thank you. I'd like to  
22 thank Chairwoman Tasco, Vice Chairman  
23 Sanchez and the Committee on Public Health  
24 and Human Services for allowing me the

1 opportunity to share my experiences with  
2 paid sick days.

3 My name is Khalid Pitts. That's  
4 K-h-a-l-i-d as in distinctive, P-i-t-t-s as  
5 in Paul. I am a co-owner of Cork Wine Bar  
6 and Cork Market in our nation's capital of  
7 Washington, DC. As a public health  
8 advocate, I have a Masters in Public Health.  
9 And I'm on the executive board of the  
10 Washington, DC's State Health Exchange.

11 I understand the impact of policies that  
12 promote the health of families can have on  
13 the welfare of the general public. As a  
14 business owner, I not only understand the  
15 responsibility I have in promoting the  
16 health and well being of my employees, but I  
17 also see the dividends a healthy workforce  
18 has on my business. I have firsthand seen  
19 that paid sick days are not just a right  
20 thing to do for my employees but the right  
21 thing to do for my bottom line.

22 In 2008, Washington, DC became the  
23 second city to pass a paid sick days law  
24 guaranteeing workers the ability to earn up

1 to seven paid sick days each year that can  
2 be used to recover from illness, care for  
3 sick family members or seek preventive  
4 medical care or respond to domestic  
5 violence. And in 2014, the law was actually  
6 expanded to include tip workers like those  
7 in my wine bar and workers in their first  
8 year on the job.

9 At Cork, my businesses, we have provided  
10 paid sick days since 2007 before the law was  
11 enacted in Washington, DC. And we have not  
12 seen any negative affects that detractors  
13 and perhaps paid lobbyist claimed would  
14 come. Some of those claims you actually  
15 might hear today. In fact, providing paid  
16 sick days has only helped my business.

17 My market is a small specialty food  
18 store that sells wine. Within a four block  
19 radius, I have a Whole Foods and a Trader  
20 Joes that compete directly with my business  
21 for business and for employees. I don't  
22 have the kinds of scale of those two  
23 businesses with the ability to offer an  
24 array of benefits. But one benefit that

1 keeps me on equal footing with these two  
2 businesses, larger businesses when competing  
3 for sales clerks or someone working in the  
4 kitchen is I can offer paid sick days.

5 It goes without saying that a sick  
6 employee with, say, a strong cold or the flu  
7 is less productive than a healthy one. And  
8 I certainly can't afford to have my  
9 employees be anything less than their most  
10 productive if an evening service is going to  
11 run smoothly.

12 I have had bartenders who have wanted to  
13 work when sick. But truth be told, because  
14 they are sick, they are less attentive, less  
15 responsive and the guests feels less served  
16 resulting in a shorter stay, i.e., a smaller  
17 paycheck and perhaps an unwillingness to  
18 return. And most likely, less tip for that  
19 bartender. Neither of which is benefit for  
20 my business, that worker and, frankly, the  
21 guest themselves.

22 And from a public health standpoint when  
23 one of my employees is sick, the last thing  
24 I want is for them to be handling food that

1 will only risk getting other employees and  
2 my customers sick. I don't have an MBA, but  
3 getting your patrons sick is not a good  
4 business model to follow.

5 (Applause.)

6 Yet, I also know my employees are trying  
7 to earn a living. The idea of missing out  
8 on wages from even a single shift could  
9 throw off budget entirely and could take  
10 months to recover from. No worker should  
11 worry about losing their job when they get  
12 sick, but that's the reality many  
13 Philadelphia workers face right now. And  
14 having to replace a worker for any reason is  
15 a cost in a business: Searching for new  
16 employees, training them and possibly paying  
17 overtime for other workers to cover shifts.  
18 These costs add up. And margins are thin,  
19 particularly for small business owners.

20 It has helped my business that other  
21 businesses in my community pay a decent wage  
22 and provide paid sick days because that  
23 means more money in workers pockets. And  
24 they use that shopping and dining in the

1 community, which means more revenue for my  
2 business and a larger tax base for the city.

3 Finally, there are intangible benefits  
4 to providing paid sick days as you heard  
5 earlier: Employee satisfaction, netting  
6 better customer service and a stronger  
7 employee loyalty. Employer retention is  
8 extremely important to any business, and I  
9 said before, particularly small businesses.

10 My employees know we care about them. We  
11 want to make sure they are able to make a  
12 decent wage and don't have to worry about  
13 falling behind on bills as they get sick.  
14 Because of that, they are loyal and more  
15 dedicated and we have much lower turnover  
16 cost.

17 Paid sick days is not just good for  
18 workers in the public health, it's good for  
19 business and it's good for the economy. I  
20 encourage the Council to follow the lead of  
21 Washington, DC and other cities across and  
22 states across the country and pass a paid  
23 sick days law.

24 Thank you very much.

1 COUNCILWOMAN TASC0: Thank you. Thank  
2 you very much.

3 (Applause.)

4 Next, Mr. McCarthy.

5 MR. MCCARTHEY: Hello, everyone. I  
6 appreciate the opportunity, the chance to  
7 speak on behalf of restaurant workers in the  
8 City. My name is Jason McCarthy. I've  
9 worked in the restaurant industry in  
10 Philadelphia for 23 years now and have never  
11 had a paid sick day regardless of how sick  
12 or injured I was.

13 I've worked as a dishwasher, a cook, a  
14 server, bartender, you name it. I'm  
15 constantly exposed to staff and guests and  
16 they're exposed to me. Most of my work  
17 entails handling other peoples used plates  
18 and flatware, used glasses and napkins,  
19 water pitchers and lots of little things  
20 like pen, the phone, soda guns, money that  
21 can easily spread germs. But all -- plus  
22 all the sneezing and cuffing that comes into  
23 play when you work in a public industry.  
24 It's enough to make a germaphobe cringe just

1 a little bit.

2 I can't imagine any rational person  
3 being comfortable knowing that their food  
4 and drinks are being prepared and served by  
5 someone sick or contagious. But restaurant  
6 workers can never consider a sore throat,  
7 the sniffles, the flu or a stomach ailment a  
8 reason to call in sick. We don't get paid  
9 to if we call in sick, so we go to work no  
10 matter how terrible we feel.

11 This is due largely to the fact that  
12 restaurant owners and management will not  
13 accept any excuse for calling out. More  
14 than likely, they will require us to provide  
15 proof of illness such as a note from a  
16 doctor to authenticate our injury or  
17 illness. This is ironic since most  
18 restaurant workers receive no health  
19 coverage whatsoever. We face retaliation or  
20 termination if anything goes wrong with us  
21 physically, so it's no mystery that even  
22 when we are contagious or in pain we come to  
23 work not just because we need the day's pay,  
24 but we fear getting fired.

1        In a tightly knit restaurant staff, we  
2        have to look out for one another. If  
3        something is wrong, we can't make it to  
4        work, we take it upon ourselves to get the  
5        shifts covered. We have to be cooperative  
6        and flexible with one another because  
7        management is prone to act as though calling  
8        out sick is some kind of personal attack.  
9        That being too sick to work is somehow lazy,  
10       disrespectful and selfish.

11       Personally, I have seen two fired -- two  
12       people fired for calling out sick. One of  
13       my friends was out for two days with  
14       terrible back pain. Even after offering  
15       proof from her doctor, she was taken off the  
16       schedule and never heard from management  
17       again. Another friend the same year was  
18       fired within 20 minutes the first time she  
19       ever called out sick.

20       There is a sick worker in nearly every  
21       restaurant in this City every day, but there  
22       is really no choice for us in the matter.  
23       We simply aren't allowed time to rest and  
24       heal the way so many other workers are.

1 Personally, as you server or bartender  
2 earning \$2.83 an hour in Pennsylvania, I  
3 have worked through colds, the flu, sunburn,  
4 fever, strep throat, a broken rib, a broken  
5 foot, burns, cuts, even diarrhea.

6 It saddens me that most restaurant and  
7 food service employees have no access to  
8 many of the benefits offered to many other  
9 Americans by their employees such as state,  
10 city and other white collar workers. For us  
11 who serve the public daily, there are no  
12 paid vacations. There is no pension, no  
13 paid holidays or bereavement, no health or  
14 dental coverage of any kind and certainly  
15 never a paid sick day ever.

16 Philadelphia is a world class city. We  
17 invite and welcome tourists, students and  
18 dignitaries from all over the country and  
19 all over the world. As a hospitality  
20 professional, I welcome the opportunity to  
21 impress everyone who lives and visits here  
22 with all this City has to offer.  
23 Philadelphia can boast some of the best  
24 restaurants and service professionals

1 available in the region. It's a vibrant,  
2 beautiful, historic American city. It's the  
3 birthplace of the nation. The first capital  
4 in a new country based on democracy.

5 But to date, Pennsylvania and  
6 Philadelphia have yet to impress me on this  
7 issue. It seems restaurant workers along  
8 with others in customer service and retail  
9 don't deserve the same quality of life and  
10 employment that is enjoyed by other workers  
11 that benefit from contracts, unions or  
12 greater political prowess. Most of the  
13 people I have worked with are intelligent,  
14 capable contributors to Philadelphia's  
15 thriving restaurant industry. We work hard,  
16 we enjoy what we do and the people we work  
17 with. I don't understand why we should be  
18 penalized or punished for our chosen  
19 profession with subminimum wages and no  
20 chances of any benefits whatsoever.

21 I am willing to bet that if any of you  
22 felt lightheaded or feverish, if any of you  
23 felt nauseous or were hurt, that you would  
24 feel justified calling out sick without fear

1 of retaliation. Unfortunately, if this Bill  
2 isn't passed, employees in restaurants,  
3 retail and fast food will have no choice but  
4 to come to work sick. We won't be allowed  
5 time to recover from a sudden illness or  
6 unexpected injury without the fear of losing  
7 our job.

8 So, I'm speaking here today to ask for  
9 your help, to defend us, to stand up for  
10 those who seem too low to be extended the  
11 most simple commonsense principle: If you  
12 are sick or hurt, take the day off. Many of  
13 us in the industry are so selfless that we  
14 can't put our needs above those of our  
15 employers or our guests. Others are too  
16 busy fighting to keep their spot -- to keep  
17 us on the lowest rung of the employee  
18 ladder.

19 You have the ability to help change  
20 this. By including restaurant workers in  
21 this Bill, you are demonstrating the  
22 democratic principles upon which the City  
23 and country were founded. So, please allow  
24 us the right to stay home with the flu

1 instead of spreading it to customers and  
2 everyone else in the workplace. Just grant  
3 us the right to be sick without fear of  
4 losing our pay or our job.

5 I appreciate your attention and hope  
6 I've helped you to realize that there is a  
7 significant population here in this City  
8 that has been ignored when it comes to fair  
9 wages and quality in the workplace.

10 Thank you for your time this afternoon.

11 (Applause)

12 COUNCILWOMAN TASCO: Thank you very  
13 much. Councilman Greenlee.

14 COUNCILMAN GREENLEE: Thank you, Madam  
15 Chair. Just I'd like to say obviously that  
16 everybody has already testified and is going  
17 to testify is important. I think these  
18 three people might be the most important  
19 people as far as defining why we need this  
20 law.

21 Ms. Hasan and Mr. Pitts have proven  
22 despite what a lot of businesses say that  
23 sick leave not only can work, it's best for  
24 the business. And it has shown that. And

1 as far as Mr. McCarthey goes, his story,  
2 trust me, we can fill this room and fill the  
3 hallways with people who could line up and  
4 tell similar stories as he does.

5 In the interest of time, I urge people  
6 not to do that. Tell them to stay home  
7 especially if they don't feel well.

8 But again, I just -- one thing,  
9 Ms. Hasan or Mr. Pitts you can answer this.  
10 I know sometimes people sort of poo-poo the  
11 issue of if you give workers proper  
12 benefits, they will work harder. And by  
13 working harder, they will feel better about  
14 their job, all that kind -- have you --  
15 given that you give these benefits, do you  
16 see that that's a fair, that that's not some  
17 kind of happy talk, that that actually means  
18 something?

19 MR. PITTS: No. It's not happy talk.  
20 It actually means something. My place of  
21 business been open around eight years. The  
22 average employee retention has been six  
23 years. That's really unheard, particularly  
24 with servers in the restaurant community.

1 People moving around to better other  
2 restaurants. But we provide both paid sick  
3 days and actually healthcare as well in my  
4 businesses.

5 COUNCILMAN GREENLEE: Yeah. Mr.  
6 McCarthy, you going to move to DC to work  
7 for Mr. Pitts?

8 MR. MCCARTHEY: I was thinking about it.

9 MR. PITTS: I was going to ask it.

10 COUNCILMAN GREENLEE: He's already  
11 working on that? Okay. All right.

12 Thank you, Madam. Thank you to all  
13 three of you. Thanks very much.

14 COUNCILWOMAN TASCO: Mr. Pitts, wait a  
15 minute. I have a couple of questions.

16 How long did it take DC to pass their  
17 legislation?

18 MR. PITTS: In various forms, about as  
19 long as you have, as well. Various  
20 iterations, trying to reach a compromise  
21 which was best for the city, for businesses  
22 and for employers -- for employees. And  
23 much like you alluded to earlier, once it  
24 was passed in Washington, DC the City

1 Council went back and looked at it to see  
2 how its effect and expanded the law.

3 COUNCILWOMAN TASCO: Okay. Thank you.

4 Now, Ms. Hasan, being a small business  
5 owner, a daycare and having your employees  
6 available to the children when they come in,  
7 what impact has your sick leave policy had  
8 on your budget and the effectiveness of the  
9 operation?

10 MS. HASAN: Well, if I didn't have the  
11 policy of the children or the staff being  
12 able to take off when they were sick, I  
13 would have more of a problem because I would  
14 have -- I would have people calling out more  
15 often, and I would have people being sicker  
16 coming to work sick, spreading their germs  
17 and making other people sick and keeping the  
18 children sick. And in childcare, it's like  
19 once someone gets sick, it can spread  
20 through the whole center. And next thing  
21 you know, you are sending out letters  
22 telling parents we have an outburst of pink  
23 eye, we have an outburst of the flu. We  
24 have an outburst of strepacola [sic] and

1 that's not good for business.

2 So it's better -- you actually save.

3 When you have consistent teachers, you have  
4 consistent which parents get to know your  
5 policies, they're comfortable with the  
6 teachers. They used to seeing the same  
7 teachers. It's okay for them to hear, to  
8 say your teacher is out today because she  
9 doesn't feel well. It's normal. It's  
10 normal.

11 We want to bring that normality to all  
12 small businesses. And I'm a very small  
13 business. I only have 26 children, so it's  
14 not like I'm rolling in cash at all. But I  
15 just know the importance of it. I believe  
16 in the importance of it. And I respect  
17 other human beings enough to say it's worth  
18 it.

19 (Applause)

20 COUNCILWOMAN TASCO: Thank you.

21 Chair recognizes Councilman Neilson.

22 COUNCILMAN NEILSON: Thank you, Madam  
23 Chair. Thank you all for testimony, for  
24 your testimony coming here today, taking

1 time out of your busy day/schedule to come.

2 Couple questions. And first off, none  
3 of us started as a councilperson. My first  
4 job was a restaurant. I busboy the -- at  
5 Broad and Venango, the old Fisher  
6 Restaurant. People from Philadelphia know  
7 that. It was an icon. And so, we all  
8 started somewhere.

9 Do you see any problem when people  
10 calling out sick at a short notice? Because  
11 we have heard some businesses come in and  
12 talk about how they could be affected, and  
13 they wouldn't be affected as much if they  
14 had, like, two hours notice and, hey, look,  
15 I'm not coming in. Or say on a restaurant  
16 shift, whereas you call in for a waiter or  
17 waitress or server to come in and they only  
18 want an hour sick time, so you already need  
19 to replace someone. And bring someone in at  
20 \$2.40 an hour for an hour to cover that  
21 shift, how do you make up for that kind of  
22 stuff?

23 Some of the people that came to us, they  
24 said, look, I need -- I need a couple hours

1 or I need someone to take off four-hour  
2 increments or two-hour increments. I mean,  
3 some good arguments. But I mean, how does  
4 that affect you and how does Washington,  
5 your policy work at your place? Do they  
6 have to take off a whole shift or do they  
7 just take off an hour? They take off two?

8 I mean, because if you have a doctor's  
9 appointment, you only want an hour. I don't  
10 want to take off the whole day. Some  
11 doctors' appointments can't be avoided. I  
12 mean, there is some things we can't avoid.

13 Please, I'm sorry.

14 MR. PITTS: No. No. Well, I think one  
15 of the things -- once, too, a bit of  
16 education for employees across the city to  
17 kind of understand the laws in effect. I  
18 think once they have understood that, you  
19 know, that kind of late callout -- because  
20 I'll -- he can speak to it himself. You  
21 know, a server or bartender, someone in the  
22 kitchen is trying to rally and trying to  
23 feel better to come into work. And perhaps  
24 at the last minute they have to callout

1 because they just don't have the strength to  
2 come in or they're worried about affecting  
3 other people.

4 Now knowing that they actually have some  
5 of their time covered, they don't -- that  
6 tension of that worry about should I call in  
7 or not call in doesn't happen. I think --  
8 and also, I think for the most part, whether  
9 you talk about a short term, whether them  
10 themselves have to go to the doctor or many  
11 of my employees actually have children,  
12 their children have to go to doctor. When  
13 it's unavoidable during a shift time, they  
14 have worked it out with the managers, be it  
15 in the kitchen or in the front of the house,  
16 to either do some small coverage or come in  
17 later. We adjust.

18 Because again both -- we found here -- I  
19 find in my restaurant and my market that if  
20 I take care of my employees, my employees  
21 will take care of me.

22 COUNCILMAN NEILSON: Amen. No doubt  
23 about that. Thank you.

24 (Applause.)

1 COUNCILWOMAN TASC0: What's the name of  
2 your restaurant?

3 MR. PITTS: It's called Cork Wine Bar.  
4 And the specialty food store is called Cork  
5 Market and Tasting Room in Logan Circle in  
6 Washington, DC. Nice plug there.

7 COUNCILMAN NEILSON: Actually sounds  
8 like something we can use here, Madam  
9 Chairwoman, a cork wine bar.

10 COUNCILWOMAN TASC0: Leave a card here,  
11 please. We are going to Washington soon, so  
12 we have to stop by.

13 MR. PITTS: Well, we'd love to have you.

14 COUNCILWOMAN TASC0: Thank you. Any  
15 other questions?

16 (No further questions.)

17 Thank you so much for your testimony.  
18 It's very informative. We appreciate you  
19 coming from DC to share with us what's  
20 happening down there. Appreciate that.

21 MR. PITTS: Thank you very much. This  
22 is important.

23 (Applause)

24 COUNCILWOMAN TASC0: We have our next

1 panel, Dr. Walter Tsou, commissioner -- past  
2 president of the American Public Health  
3 Association and former Health Commissioner  
4 of Philadelphia; and Lynette Lazarus,  
5 retired nurse -- school nurse.

6 Is Ms. Lazarus here?

7 (Audience Member: She actually had to leave.)

8 COUNCILMAN GREENLEE: She had to leave.

9 COUNCILWOMAN TASCO: Okay. Hello.

10 DR. TSOU: Hello.

11 COUNCILWOMAN TASCO: Thank you for  
12 coming in.

13 DR. TSOU: Thank you, Councilwoman Tasco  
14 and thank you for your service to  
15 Philadelphia and to all the other Members of  
16 Council. My name is Dr. Walter Tsou. I'm a  
17 public health physician, past president of  
18 the American Public Health Association and  
19 as mentioned, former health commissioner of  
20 this great City. I'm here today to speak in  
21 favor of City Council Bill 141026.

22 It's been previously noted about  
23 40 percent of Philadelphia workers do not  
24 have paid sick days. And this is not

1 equitably distributed as low-income workers  
2 are much more likely to be without sick  
3 days. And we can state with a hundred  
4 percent accuracy that every day someone in  
5 this City will get sick or injured.

6 Those who work for employers with paid  
7 sick days can use this to seek medical  
8 attention, rest their injured body or avoid  
9 coughing on their fellow workers. But those  
10 who do not have paid sick days, many will  
11 exacerbate their illness, as Mr. McCarthy  
12 said eloquently, by bearing more weight on  
13 injured leg or ignoring chest pain at great  
14 personal peril or possibly worse, spreading  
15 communicable diseases to their fellow  
16 workers.

17 In my career, I have witnessed food  
18 workers who have gone to work with viral  
19 hepatitis infecting salad bars, people going  
20 to work with fever and flu-like symptoms and  
21 workers coughing on their fellow employees  
22 with moldy drug resistant tuberculosis.

23 This legislation recognizes that  
24 sometimes it is in the best interest of

1 society for workers to stay home. So also  
2 in the interest of society, to have a  
3 healthy and productive workforce. And while  
4 in the short run a sick worker may be away  
5 from work recuperating or caring for a loved  
6 one, in the long run they will be more  
7 productive, they can get their illness  
8 treated or controlled.

9 There is some in the business community  
10 have expressed their opposition to this  
11 bill, but there are many employer rights  
12 that are mentioned. And I won't go through  
13 them for the sake of time.

14 In short, if you get sick days, you have  
15 to earn them. Some employers fear employee  
16 will abuse their paid sick days. A small  
17 minority might. And there are remedies for  
18 those who falsely claim sickness.

19 Inevitably, though, your choice is whether  
20 you deny everyone paid sick days to avoid  
21 small minority or do you set reasonable  
22 rules based on the fact that bad things  
23 happen on average to everyone. It is  
24 actually in society's interest to level the

1 playing field so that all workers in  
2 Philadelphia have a minimum number of paid  
3 sick days, which is the responsibility of  
4 City Council and why I support this  
5 legislation.

6 Thank you very much.

7 COUNCILWOMAN TASCO: Thank you very  
8 much.

9 (Applause)

10 Chair recognizes Councilman Greenlee.

11 COUNCILMAN GREENLEE: Thank you, Madam  
12 Chair. I just wanted to thank Dr. Tsou. I  
13 think he's been here for every hearing that  
14 we've had over these years. He's spoken at  
15 public comment. And certainly, your  
16 expertise and your service to the City and  
17 to the healthcare industry generally is  
18 really appreciated. And certainly, your  
19 support of this Bill means a lot. So, thank  
20 you, sir.

21 DR. TSOU: Thank you.

22 COUNCILMAN GREENLEE: Thank you for all  
23 you've done on this.

24 COUNCILWOMAN TASCO: Thank you very

1 much. Any other questions or comments?

2 We really appreciate the service to  
3 Philadelphia. Thank you for coming.

4 DR. TSOU: Thank you.

5 (Applause)

6 COUNCILWOMAN TASC0: Next panel will be  
7 Mr. Dan Calista, Mr. Joe Grace and Mr. Al  
8 Taubenberger.

9 (Panel approaches table.)

10 Good afternoon.

11 (Panel Responds: Afternoon.)

12 Thank you for coming out to testify. We  
13 will have now Mr. Calista.

14 MR. CALISTA: Councilwoman, if it's okay  
15 with you, may I go third? May I go after  
16 these other gentlemen?

17 COUNCILWOMAN TASC0: You want to go  
18 after. Okay.

19 All right. Mr. Grace, you ready?

20 MR. GRACE: Good afternoon, Madam Chair  
21 and Members of the Committee. Thank you  
22 very much for the chance to be here today to  
23 testify on Bill 141026. I'm Joe Grace,  
24 Director of Public Policy for the Greater

1 Philadelphia Chamber of Commerce.

2 First, the Chamber would like to commend  
3 Councilman Greenlee, the sponsor of this  
4 legislation, for his stalwart commitment to  
5 the cause of creating healthy workplaces in  
6 Philadelphia. We all support a healthy  
7 workplace environment that is safe for  
8 employers, workers and customers. But we  
9 want to take a moment to commend Councilman  
10 Greenlee for his work on this legislation.

11 Our Chamber members are committed to  
12 their employees and the public health, as  
13 well. When we surveyed our members last  
14 year on this issue, 85 percent responded  
15 that they already do provide paid sick leave  
16 or paid time off to their employees. At the  
17 same time, 70 percent of those responded  
18 said that they did not think that  
19 Philadelphia should require businesses  
20 specifically to offer paid sick leave. As  
21 those survey results reveal, the issue for  
22 the Chamber and its more than 2,000  
23 businesses that are located here in  
24 Philadelphia has never been about providing

1 paid sick leave since so many of our members  
2 already do provide it. The issue is one of  
3 competitiveness.

4 When the City of Philadelphia imposes  
5 mandates on businesses here that other  
6 neighboring jurisdictions do not impose,  
7 that puts City businesses at a competitive  
8 disadvantage. Our businesses already  
9 operate under what is considered one of the  
10 higher local tax burdens in our country.  
11 Our members need a local tax and regulatory  
12 environment more in step with enabling job  
13 creation that can help revitalize our City's  
14 economy.

15 Nevertheless, as the paid sick leave  
16 issue comes before this Council a third time  
17 and as the Nutter Administration now  
18 supports a paid sick leave law in  
19 Philadelphia, the Chamber has spent the last  
20 nine months actively participating in the  
21 work to craft a paid sick leave policy.

22 The Chamber participated fully in the  
23 work of the Mayor's Task Force on paid sick  
24 leave with Lisa Crutchfield, our Senior Vice

1 President for Advocacy and Public Affairs,  
2 and Dan Calista sitting right here with us  
3 today, CEO of Vynamic and a Chamber board  
4 member, both serving as co-chair in the  
5 Mayor's Task Force at different times.

6 After the Task Force issued its report  
7 and this legislation was introduced by  
8 Councilman Greenlee in December, the Chamber  
9 spent the last several months working with  
10 our Members and City Council seeking a  
11 number of modifications to the Bill to make  
12 it less adverse to businesses in our City.  
13 With the backing of the City's business  
14 community, we support the following  
15 amendments to the legislation before this  
16 Committee today.

17 An amendment stating that nothing in the  
18 legislation will require an employer to  
19 change an existing leave policy or provide  
20 additional sick leave if their additional  
21 policy satisfies or exceeds the accrual  
22 requirement of the Bill.

23 An amendment providing that no person  
24 who is transferred on a temporary basis less

1       than twelve weeks to a location inside the  
2       City whose primary work location is outside  
3       the City's boundaries shall be considered an  
4       employee covered by this ordinance.

5           An amendment that requires employees to  
6       give reasonable notice, ten days, to their  
7       employer when they know in advance that they  
8       need to use sick time such as for a doctor's  
9       appointment and to generally apply with  
10      their employer's notification procedures.

11          An amendment allowing workers to use  
12      their sick time allowance in four-hour  
13      increments, not in increments smaller than  
14      that. And just to add, Madam Chair, that  
15      the Mayor's Task Force specifically  
16      recommended this step, very specifically for  
17      the restaurant industry here in our City  
18      which requested that step. And I think you  
19      heard earlier testimony and questions from  
20      Councilmembers on that point.

21          In any other language sought by  
22      businesses in Philadelphia intended to make  
23      it easier for the company to comply with  
24      this ordinance but still maintain their

1 daily focus on being a profitable,  
2 competitive business here in our City.

3 Just one other issue needs addressing.  
4 Responding to many Chamber member concerns,  
5 we urged Council to increase the employer  
6 threshold beyond the current level of 10 or  
7 more employees. The Chamber did advocate  
8 for an employer threshold of 50 or more  
9 employees applying the designation of a  
10 small business as defined under federal law  
11 under the Family and Medical Leave Act and  
12 the Affordable Care Act understanding that  
13 there was little support in Council for this  
14 position.

15 The Chamber now respectfully asks this  
16 Committee to consider setting the employer  
17 threshold at 15 or more employees, which is  
18 the recommendation set forth by the Mayor's  
19 Task Force. In conclusion on behalf of all  
20 our member businesses in our City, we ask  
21 Council to consider these two important  
22 points before voting on the legislation. We  
23 all support a healthier workplace, and we  
24 all support policies that help our

1 businesses remain competitive, profitable  
2 here in Philadelphia.

3 Madam Chair, Members of the Committee,  
4 thank you for the chance to testify on this  
5 legislation.

6 MR. TAUBENBERGER: Madam Chair, thank  
7 you very much for the opportunity. And  
8 thank you, Councilman Neilson, Councilman  
9 Greenlee, Councilwoman Sanchez, Councilwoman  
10 Bass, Councilman Brian O'Neill and  
11 Councilman Kenyatta Johnson. We thank you  
12 for the opportunity.

13 The jobs of a Chamber of Commerce is to  
14 attract, retain and grow jobs in our City.  
15 To be very direct, although I see this as  
16 well meaning and I see the -- I see the  
17 reason and the passion behind it, the  
18 problem that in Montgomery County, Chester  
19 County, Delaware County, Camden County,  
20 Burlington County, Gloucester County,  
21 Chester County, this bill will not be  
22 introduced or ever considered. The fact of  
23 the matter is Philadelphia, must be  
24 competitive. And one of the words I use is

1 grow.

2 I know a little bit about growing things  
3 because I have a degree, Bachelor of Science  
4 degree in Agronomy from Penn State  
5 University School of Agriculture. Fact of  
6 the matter is, you have to have good soils.  
7 You have to have a lot of good climatic  
8 conditions, all of which we have in  
9 Philadelphia.

10 We have a pretty good trained workforce.  
11 We have people that want to go to work, want  
12 to start jobs, entrepreneurs. These new  
13 jobs, these entrepreneurs have to be  
14 encouraged so they can develop and, again,  
15 use the word grow. What is happening here  
16 with increased taxation and increased  
17 regulation, we are letting a lot of weeds  
18 sprout in what could be a very, very good  
19 garden. A garden that could give rise to  
20 major companies in time right here in  
21 Philadelphia.

22 This is being stifled, this is being  
23 hampered, this is being crowded out with  
24 sunlight. If you ask a CPA, take any CPA, I

1 will say nine times out of ten, tell them  
2 what kind of company you want to start.  
3 When you say where should I start it, they  
4 will not recommend Philadelphia even though  
5 they might be in the City itself. I think  
6 these amendments certainly should be  
7 seriously considered because entrepreneurs  
8 need to grow.

9 A hundred years ago the Dodge brothers  
10 started a little car company. It was on TV.  
11 You know what, it developed into something  
12 very big. Jobs that give sick leave. But  
13 the fact is, these entrepreneurs have to  
14 have that opportunity to grow.

15 This bill in its present form will not  
16 do that.

17 Thank you.

18 (Audience boos.)

19 COUNCILWOMAN TASCO: Mr. Calista.

20 MR. CALISTA: Thank you, Councilwoman.  
21 My name is Dan Calista.

22 Good afternoon, everyone. And Members  
23 of the Public Health and Human Services  
24 Committee, thank you for having me. I'm a

1       taxpaying resident of Philadelphia. I'm a  
2       business owner and an entrepreneur. I'm  
3       also proud that my company offers paid sick  
4       leave.

5           Today, most relevantly, I am before you  
6       as the co-lead of the Mayor's Task Force on  
7       paid sick leave. Thank you for having me.  
8       The 26 page Task Force Report was put  
9       together by meetings over twenty times  
10      together. These are my notes. We worked  
11      hard as a group and really proud of the  
12      service that the citizens of Philadelphia  
13      that came together worked on the Task Force.

14           We had various backgrounds. We took  
15      many hours out of our jobs and our personal  
16      schedules to contribute, hundreds of hours  
17      diligently making recommendations reflecting  
18      a compromise of different points of view;  
19      yet, with the united intension of a healthy,  
20      vibrant Philadelphia community. We all came  
21      together for a common purpose. And because  
22      the Task Force felt paid sick leave is an  
23      important issue, we all worked so  
24      diligently.

1 I believe City Council should do more to  
2 represent the recommendations of the Task  
3 Force. It's a compromise. It should be  
4 respected. We worked very diligently as a  
5 Task Force. I read the February 2 draft of  
6 the Proposed Amendments to the Bill No.  
7 141206. And while substantial,  
8 well-intentioned, thoughtful improvements  
9 have gone into it, there is more work to be  
10 done. It's not ready to go to work. It's  
11 not one hundred percent ready yet. We're  
12 almost there.

13 It's been a long journey. I hear what  
14 you said about the long journey. There's  
15 more to do. I'm going to get specific  
16 because the details are important. I went  
17 line by line through this report. I spent  
18 hundreds of hours with fellow citizens  
19 working on this topic, and I believe we came  
20 up with something important. It should be  
21 respected.

22 I have two summary issues, two  
23 categories of main things. A lot of work  
24 has gone into this report and to

1 legislation. One of them is definitions of  
2 employee and employer. The second is the  
3 use of paid sick time.

4 First, the definition. There is a  
5 definition at Section III, 9-4103 of an  
6 employee. A lot of inclusions have been  
7 done there which I was happy to see from the  
8 Task Force recommendations. There is no  
9 mention of part-time employees. The Task  
10 Force made a recommendation on page 22 of  
11 the Task Force Report that part time  
12 employees working on average less than 15  
13 hours per week over a 90-day period should  
14 be exempt.

15 The intention behind that was to  
16 encourage companies to bring in part time  
17 workers. If they work 5 hours here, 5 hours  
18 there, that that might lead to a full time  
19 position, that might lead to a more regular  
20 position. That was the spirit of that. I  
21 believe that should be respected.

22 The second piece to the definition is  
23 number four, the Employer. And this has  
24 been raised, of course, today. Currently,

1 employees -- fewer than 10 employees. As we  
2 know, as we have heard today, legislation  
3 is -- proposed is at 10. The Task Force,  
4 you know, really worked hard on this topic.  
5 Many, many hours, very serious, very  
6 diligent hours were spent on this topic. We  
7 recommended that employers with 15 or more  
8 employees?

9 Why 15? It's just -- it's just for  
10 simplicity, for clarify of entrepreneurs.  
11 The EEOC, the Equal Employment Opportunity  
12 Commission, has a threshold of 15. All we  
13 were doing as informed citizens were to look  
14 at some existing legislation so that  
15 companies, these are small companies, that  
16 are 10 to 15 employees, that there is some  
17 consistency. That's all they were looking  
18 for is somewhere in the law there be a place  
19 of consistency.

20 And there were other thresholds you can  
21 look at. Frankly, we were looking for one  
22 of the lowest thresholds that we could fine  
23 so that definitions of small business can be  
24 done consistently. So that was -- that was

1 the first area. And then just kind of, you  
2 know, going into the second topic of just  
3 the use of paid sick time.

4 The legislation that is proposed in  
5 9-4105, Section IV legislation reads:  
6 "Accrued sick time may be used in the  
7 smaller of hour increments or the smaller  
8 increments that employer's payroll system  
9 use to account for absences or use of other  
10 time."

11 We discussed this with a lot of the Task  
12 Force, as well. A lot of work went into  
13 this. There was an inclusion around the  
14 Task Force put on page 23 of our report that  
15 restaurants may require employees to take  
16 leave in four-hour increments. So that, the  
17 Task Force believes and wants restaurant  
18 industry to offer paid sick leave. We just  
19 received a lot of testimony from the  
20 restaurant industry and we are hearing, you  
21 know, from different angles here that should  
22 be reasonable to have four-hour increments.  
23 You know, imagine getting a notice at, you  
24 know, twelve o'clock on a lunch rush. All

1 the request is offering in a half-day  
2 increment. Offer paid sick leave, but have  
3 it in a half-day increment.

4 If you don't want to carve out the  
5 restaurant industry, look for a carve out  
6 for four-hour increments, you know, in the  
7 legislation to allow for that as a minimum  
8 threshold. Employers can do more.

9 And then secondly, legislation says in  
10 Section V of the same area 9-4105, Section V  
11 the next one below it. "For sick time of  
12 more than two consecutive days, an employer  
13 may require reasonable documentation that  
14 the sick time is covered by the subsection  
15 one."

16 Okay. The Task Force made a  
17 recommendation on page 26 that employers may  
18 require reasonable documentation for sick  
19 leave use. I could go on, on the exact  
20 paragraph there you have on page 26.

21 Reasonable documentation only on the  
22 third day. Greater than two means the third  
23 day. So an employee can be out for, you  
24 know, two days in a row, come back to work,

1 two more days in a row, come back to work,  
2 two mores days in a row. If you look for a  
3 total of 40 hours that's proposed, there is  
4 no documentation. It seems reasonable to  
5 ask for documentation if given the legality  
6 of it, given proper notice, given all the  
7 proper things that this Bill went through  
8 great length in the legislation to spell  
9 out. It's just asking for the ability to  
10 ask for legislation.

11 And so in conclusion, I believe that the  
12 paid sick time legislation is, in fact,  
13 well-intentioned. We want parents, we want  
14 caregivers, we want individuals to be able  
15 to care for their loved ones and themselves  
16 without the very harsh realities of unpaid  
17 sick time. You are doing a good fight. I  
18 appreciate the work that's being done. You  
19 just got to do it right. I believe the  
20 details are important. These are just minor  
21 details that we are talking about.

22 (Audience member boos.)

23 Minor details here and you are almost  
24 there. It's been a long journey. This

1 legislation is going -- it needs to be  
2 healthy to go to work for the people of  
3 Philadelphia.

4 Thank you for the opportunity to be with  
5 you and accepting my testimony.

6 COUNCILWOMAN TASC0: Thank you for your  
7 testimony. Councilman Greenlee.

8 COUNCILMAN GREENLEE: Thank you, Madam  
9 Chair.

10 Mr. Calista, first of all, you used the  
11 word "respected" numerous times, respect the  
12 work of the Task Force. I can certainly  
13 tell you, I think I said it to  
14 Ms. Levkovich, and I'll say it again. I  
15 said it in my opening statement. We  
16 certainly respect the work that the Task  
17 Force did.

18 MR. CALISTA: Thank you.

19 COUNCILMAN GREENLEE: I worked with the  
20 Mayor to get members on that Task Force, so  
21 I think to -- I got to say you got to  
22 insinuate it because you can't saying you  
23 should respect it, we certainly respect it.  
24 And we respect the hours. You talk about

1 the hours that we put in here. I got you.

2 With all due respect, I spent eight  
3 years on this, okay, and a lot of other  
4 people spent years on this.

5 (Applause)

6 So please, don't sit there and act like  
7 you were the -- and the Task Force was the  
8 only people that worked on this.

9 MR. CALISTA: Everyone is working on  
10 this. We are almost there.

11 COUNCILMAN GREENLEE: Okay. And when  
12 the Mayor put this Task Force together, I  
13 believe he used the word "advisory," that  
14 this was an advisory Task Force. That meant  
15 that in the end it was up to us and him and,  
16 you know, those that vote on this law to  
17 make a decision on it.

18 I would dare say that 90 to 95 percent  
19 of what the Task Force recommended is in  
20 here. There is some things we disagree on.  
21 You used the word a few times "do it right."  
22 We think we are doing it right.

23 (Applause)

24 And with all due respect, all due

1 respect, I don't think you're the only one  
2 to judge whether we're doing it right or  
3 not.

4 MR. CALISTA: Details are important.  
5 Don't you agree?

6 COUNCILMAN GREENLEE: Sure.

7 MR. CALISTA: We got to -- we can't just  
8 congratulate each other. We need to respect  
9 the details that went into this.

10 COUNCILMAN GREENLEE: Sir, I'm not --

11 MR. CALISTA: Legislation,  
12 well-intentioned --

13 COUNCILMAN GREENLEE: -- going to debate  
14 with you.

15 MR. CALISTA: Legislation,  
16 well-intentioned, can have problems.  
17 Let's -- let's get this thing right. Let's  
18 do it.

19 COUNCILMAN GREENLEE: So, you don't  
20 think it's right. I think it's right.

21 MR. CALISTA: That's why I testified.

22 COUNCILMAN GREENLEE: They think it's  
23 right. So, a lot of people think it's  
24 right.

1 (Applause)

2 In fairness, I would probably -- if I  
3 was going to change it, I would change it in  
4 the opposite direction of what you're  
5 talking about. But regardless, I'm not  
6 going to go over every point. We are just  
7 not going to agree on some things.

8 I will say one thing on the one issue  
9 you raised about there should be  
10 documentation right away as soon as you -- a  
11 lot of these people -- I think Mr. McCarthy  
12 pointed this out. A lot of the people who  
13 are -- have to take this time and do not  
14 have sick leave now. I will remind you, if  
15 you are dressed like we are up here, you got  
16 paid sick leave. But if you are wearing an  
17 apron or a smock or something like that, you  
18 probably don't have paid sick leave. And  
19 what you also don't have is probably the  
20 greatest health benefits.

21 So, to say the person if they're out one  
22 day has to go to a doctor and get  
23 documentation, I don't think it's fair. I  
24 don't think that's fair. I think this is

1 good a balance. And balance, I think, is a  
2 word we use a lot in trying to craft all  
3 kind of legislation, not just this. And I  
4 think a balance when you are out more than  
5 two days, I think it's fair to ask for  
6 documentation.

7 And the scenario you gave, and I have to  
8 keep going back to this because we -- you  
9 gave what I would call the worst-case  
10 scenario which is somebody is going to stay  
11 out two days, come in, stay out two more  
12 days. You know, are there some human beings  
13 that will try to take advantage of that?  
14 Sure. Right now, I guarantee you there is  
15 an employer taking advantage of an employee,  
16 okay? Not --

17 (Applause)

18 Not the majority. It's not the majority  
19 of employees or employers --

20 MR. CALISTA: Councilman, I am just  
21 saying --

22 COUNCILMAN GREENLEE: Let me finish. I  
23 didn't interrupt you. I didn't interrupt  
24 you. Let me finish, please, okay?

1 MR. CALISTA: Go ahead.

2 COUNCILMAN GREENLEE: Again, I think  
3 we're trying to reach a balance. I think we  
4 got it right, and I guess that's up to the  
5 Council to decide who is right or wrong.  
6 And I will just leave it at that.

7 Mr. Taubenberger, one real quick  
8 question to you. I know you said that --  
9 and I know you brought this up before, that  
10 the state -- that other surrounding counties  
11 don't have this law. And I would agree that  
12 in my perfect world, first of all, the whole  
13 country would have it, first of all, but at  
14 least the State of Pennsylvania should have  
15 it.

16 Would you think that would be better  
17 for --

18 MR. TAUBENBERGER: Listen. The larger  
19 you can make this, the better. And having  
20 in the Pennsylvania, yes.

21 COUNCILMAN GREENLEE: Okay.

22 MR. TAUBENBERGER: Keep in mind, keep in  
23 mind it's still very, very competitive  
24 nature. I would -- if you're going to have

1       it, the nation would be best. Pennsylvania  
2       would be second. But Philadelphia alone is  
3       not a competitive situation and it troubles  
4       me.

5           COUNCILMAN GREENLEE: Okay. All right.  
6       I think we should move it now. But in order  
7       to keep it more competitive, would you go up  
8       to Harrisburg and lobby for statewide law  
9       for paid sick leave?

10          MR. TAUBENBERGER: Would I go to  
11       Harrisburg?

12          COUNCILMAN GREENLEE: Yeah.

13          MR. TAUBENBERGER: I certainly would go  
14       to Harrisburg with you Councilman Greenlee  
15       and talk about this. Because you know what,  
16       once again, if it's larger, I'm -- it's more  
17       palatable. If it's smaller -- the smaller  
18       this is, the more it hurts and fetters our  
19       young entrepreneurs, who try --

20           (Audience loudly disagrees.)

21           You know what?

22          COUNCILMAN GREENLEE: Quiet. Let him  
23       finish.

24          MR. TAUBENBERGER: The Dodge brothers

1 didn't start with a multimillion, billion  
2 dollar operation.

3 COUNCILMAN GREENLEE: The Dodge brothers  
4 was a hundred years ago, Al. That was a  
5 hundred years ago. A hundred years ago,  
6 people didn't have any kind of benefits.

7 MR. TAUBENBERGER: Well, some did.  
8 That's not true. And A hundred years from  
9 now, there will be a different situation  
10 again. But the fact is, I am for growing  
11 businesses.

12 COUNCILMAN GREENLEE: So are we.

13 MR. TAUBENBERGER: And you need to have  
14 the right climatic conditions and we don't.

15 COUNCILMAN GREENLEE: Okay. Well, we  
16 differ in opinion on that. I'm not going to  
17 keep going.

18 Thank you, Madam Chair.

19 COUNCILWOMAN TASCO: I remember when we  
20 outlawed smoking in the restaurants and  
21 everybody was going to go to the suburbs to  
22 eat. Now we got more restaurants and more  
23 are coming. And now they in the suburbs  
24 have stopped smoking. Because I didn't like

1 going to some of the restaurants in the  
2 suburban area because they had smoking. And  
3 now everybody has outlawed smoking.

4 MR. TAUBENBERGER: Well, that is  
5 correct.

6 COUNCILWOMAN TASC0: We set the tone and  
7 the trend. And I think this will move right  
8 out through the suburbs.

9 MR. TAUBENBERGER: Councilwoman, I  
10 respect you a lot. I hope and pray you are  
11 correct. But if you're not, I'd like to  
12 come back and talk about it. Because I  
13 believe in my heart Philadelphia must be  
14 competitive to get jobs growing.

15 COUNCILWOMAN TASC0: Liquor by the  
16 drink. Folks are going to run to Montgomery  
17 County to the suburbs to drink liquor.  
18 Can't get in a restaurant Downtown, okay?  
19 They are not leaving. So, we appreciate  
20 your representation for your community, the  
21 business community.

22 MR. TAUBENBERGER: Thank you.

23 COUNCILWOMAN TASC0: We just ask them  
24 sometimes to think about the people that are

1 in their to buy their food, who service them  
2 to think about those folks for one minute.  
3 Just think about them.

4 (Applause)

5 And so when we -- when this Council  
6 dealt with the issue of predatory lending  
7 and we told you that the -- it was hurting  
8 people and they were losing their homes, we  
9 were called all kind of names and don't pass  
10 legislation.

11 Now look what happened? Two years later  
12 the whole market crashed around the --  
13 because of predatory lending.

14 So, this Council has been pretty right  
15 on the legislation we have passed. And  
16 we -- and we will disagree and we'll -- and  
17 the discussion is always to be open.

18 MR. TAUBENBERGER: I like that.

19 COUNCILWOMAN TASCO: And the dialogue  
20 will be open. And we appreciate your point  
21 of view, but we kind of get it right and we  
22 thank you very much.

23 MR. TAUBENBERGER: Well, I hope you're  
24 right. I'd like every Philadelphian to have

1 a job. Councilwoman, thank you.

2 COUNCILWOMAN TASCO: If it's for the  
3 people -- if it's for the people and I note  
4 there are some people who think that we  
5 don't do a good job, but we come back  
6 because the people in the City recognize  
7 that we care about them and take care of  
8 them legislatively in this body. And I just  
9 wanted to say that because the voters know  
10 who is doing what they -- we have to do.

11 (Applause)

12 MR. TAUBENBERGER: Councilwoman --

13 COUNCILWOMAN TASCO: And I didn't mean  
14 to make a speech, but I got to get it off my  
15 chest. Thank you very much.

16 MR. TAUBENBERGER: And I appreciate your  
17 work, as well.

18 COUNCILWOMAN TASCO: Thank you.

19 COUNCILMAN GOODE: Madam Chair.

20 COUNCILWOMAN TASCO: Just a minute.  
21 Hold on. Councilman Goode.

22 COUNCILMAN GOODE: Thank you, Madam  
23 Chair.

24 Good afternoon to the Panel.

1 Mr. Calista, you talked about the work of  
2 the Task Force, the need for balance and  
3 compromise. And I'm interested in your own  
4 perspective since you came here and you said  
5 we're not there yet.

6 I'm interested in what your starting  
7 point was? What was your original position  
8 on paid sick leave?

9 MR. CALISTA: I went -- as I said in the  
10 testimony, I believe in paid sick leave. We  
11 offer it. I believe a healthier workforce  
12 is a better workforce. I went into this  
13 because I was asked, you know, by Greenlee  
14 and the group that put this together. And I  
15 just went into it with open mind. And we --

16 COUNCILMAN GOODE: You had no original  
17 position on paid sick leave?

18 MR. CALISTA: I guess, Sir, my point of  
19 view was, as I was just saying, is just that  
20 I believe in paid sick leave.

21 COUNCILMAN GOODE: Did you believe that  
22 there should be a paid sick leave law that  
23 applied to the entire city? Yes or no?

24 MR. CALISTA: I think that the way to

1 implement this would be -- with the  
2 President's -- with the federal --

3 COUNCILMAN GOODE: You're not answering  
4 my question.

5 MR. CALISTA: What are you asking, sir?

6 COUNCILMAN GOODE: Did you start off  
7 with a no paid sick leave position?

8 MR. CALISTA: I did not start off with  
9 a -- I went into it with an open mind.

10 COUNCILMAN GOODE: Okay. What was your  
11 personal position? Should there be paid  
12 sick leave for the entire city?

13 MR. CALISTA: I did not believe there  
14 should be sick leave at the City level.  
15 There should be at a competitive state  
16 level.

17 COUNCILMAN GOODE: That wasn't the  
18 question. Should there be --

19 MR. CALISTA: Sir.

20 COUNCILMAN GOODE: If you want to answer  
21 the question, you won't have a problem.

22 MR. CALISTA: I'm trying to.

23 COUNCILMAN GOODE: Do you believe that  
24 there should be a paid sick leave policy for

1 the City of Philadelphia? That's a simple  
2 question.

3 Is that where you started out?

4 MR. CALISTA: I already answered the  
5 question. I believe there should be sick  
6 leave beyond Philadelphia, including  
7 Philadelphia. What else can I say?

8 COUNCILMAN GOODE: I'll answer it for  
9 you. You did not believe there should be a  
10 paid sick leave policy for the City of  
11 Philadelphia.

12 MR. CALISTA: Shouldn't be only  
13 Philad -- why don't -- don't we all want  
14 more than Philadelphia, right?

15 COUNCILMAN GOODE: What is the  
16 compromise? What is the compromise between  
17 no paid sick leave policy and paid sick  
18 leave?

19 MR. CALISTA: I don't understand your  
20 question.

21 COUNCILMAN GOODE: What is the  
22 compromise? If you start out not believing  
23 in paid sick leave for Philadelphia --

24 MR. CALISTA: The compromise --

1 COUNCILMAN GOODE: -- and there are  
2 people who believe in paid sick leave for  
3 Philadelphia, then what is the compromise?  
4 The compromise is clearly --

5 MR. CALISTA: Compromise is in the  
6 details, sir, in the actual legislation  
7 recommendations.

8 COUNCILMAN GOODE: So, the compromise is  
9 some paid sick leave in Philadelphia?

10 MR. CALISTA: Yes, there was compromise.

11 COUNCILMAN GOODE: So, what was the  
12 purpose of the Task Force?

13 MR. CALISTA: I have the Task -- I think  
14 you know that the Task Force was put  
15 together to put recommendations on paid sick  
16 leave policies in Philadelphia.

17 COUNCILMAN GOODE: To the Mayor.

18 MR. CALISTA: And Councilman Greenlee.

19 COUNCILMAN GOODE: But to the Mayor,  
20 it's the Mayor's Task Force. The  
21 compromise -- the compromise between no paid  
22 sick leave and paid sick leave is some paid  
23 leave.

24 Recommendations were made to the Mayor

1 and Council. And the Mayor and Council  
2 agree. You have no more work to be done.  
3 Thank you very much.

4 (Applause)

5 MR. CALISTA: We worked hard on this.  
6 We worked hard on this. I'm just -- I  
7 just -- all I was trying to do was look at  
8 the details.

9 COUNCILWOMAN TASCO: Thank you very  
10 much. We appreciate your effort. We  
11 appreciate your advocacy for you what you  
12 believe in. Thank you very much.

13 (Audience gets loud.)

14 Please. We have to have order. This is  
15 Chamber of -- I was going to say Congress --  
16 Council, and we respect all of the folk who  
17 come in here to testify whether we agree or  
18 disagree. They have a right to their  
19 opinion as you have a right to yours. So,  
20 we will ask you to respect those who may  
21 differ from you. We ask for your respect  
22 for everybody.

23 The next one we have Ed Grose, Greater  
24 Philadelphia -- Greater Hotel Association;

1 Melissa Bova, Pennsylvania Restaurant and  
2 Lodging Association.

3 The next panel will be Ms. Helen Gym,  
4 Reverend Cean James and Ms. Marianne  
5 Bellesorte.

6 (Panel approaches table.)

7 If there is anyone else here to testify,  
8 you need to see that young man over there  
9 so we can call you up. They are the last  
10 panel.

11 Good afternoon.

12 MR. GROSE: Good afternoon. My name is  
13 Ed Grose. I'm the Executive Director of  
14 Greater Philadelphia Hotel Association. We  
15 represent over 90 hotels around the region,  
16 including all of the hotels in Center City  
17 and most within Philadelphia. I am here  
18 today to express the hotel industry's  
19 concern regarding Bill No. 141026 which was  
20 introduced by Councilman Greenlee and would  
21 require Philadelphia employers to grant paid  
22 sick leave to their employees.

23 Bill No. 141026 provisions allowing  
24 employees to be absent with little advance

1 callout and allowing employees to take their  
2 leave in one-hour increments cause  
3 particularly undue burden on other employees  
4 and will wreak havoc within the service  
5 industry or within service delivery in  
6 hotels and restaurants. Employees will be  
7 forced to stay over or will be called with  
8 little or no notice on their time off.

9 Businesses will incur excessive overtime  
10 costs and temporary labor cost of covering  
11 for absent employees. Customers will often  
12 receive poor service while managers scramble  
13 to fill unexpected staffing vacancies. Many  
14 of those customers will choose to spend  
15 their money elsewhere in the future rather  
16 than submit themselves to such aggravation  
17 and poor service again.

18 Most hotels, pretty much all hotels in  
19 Center City, have policies in place which  
20 are far more favorable than the requirements  
21 of this legislation. However, granting paid  
22 sick -- five days of paid sick leave a year  
23 would be a major financial burden for many  
24 smaller hotels and independent restaurants

1 and larger companies manager -- and larger  
2 companies manager their employees' time off  
3 in many different ways.

4 The Federal Family and Medical Leave Act  
5 requirements sufficiently requires the  
6 concerns addressed by this Bill and it  
7 should be an individual company decision,  
8 not a City mandate to adopt a more lenient  
9 sick policy. Ultimately, the policy  
10 proposed in Bill No. 141026 will increase  
11 labor costs for our hotels. If forced to  
12 absorb the increase, the result will be  
13 higher prices for our customers, fewer  
14 people visiting Philadelphia, less vacation  
15 dollars spent in Philadelphia and a  
16 reduction of the number of jobs available in  
17 our industry.

18 Currently, it's nearly impossible to  
19 build a hotel in the City without  
20 significant state and city subsidies as  
21 major chains prefer to locate in cities with  
22 lower taxes and labor costs. The added cost  
23 of mandated sick pay will only serve to make  
24 our destination less attractive and chase

1 away already skittish developers.

2 Philadelphia hotels generate over  
3 \$125 million annually in tax revenue for the  
4 City and Commonwealth through real estate,  
5 wage, liquor, use and occupancy and  
6 amusement taxes. I'm hard pressed to  
7 imagine a more taxed industry in our City  
8 than the one I represent.

9 There are over 11,000 hotel rooms in  
10 Philadelphia employing 10,750 people,  
11 80 percent of whom are Philadelphia  
12 residents making an average living wage of  
13 \$24,000 a year. They live in every  
14 neighborhood of our city. And GPHA works  
15 closely with agencies such as Philadelphia  
16 OIC, Congresso De Latinos Workforce  
17 Development and Philadelphia Academies to  
18 ensure a diverse workforce from the front  
19 line employees to upper management. Our  
20 employees look like Philadelphia and these  
21 are the jobs that will be in danger if this  
22 proposal passes. Now is not the time to  
23 make it even more difficult to do business  
24 in Philadelphia.

1           The Greater Philadelphia Hotel  
2           Association urges you not to pass Bill  
3           141026.

4           MS. BOVA: Thank you. Chairwoman Tasco,  
5           Members of the Committee, thank you for  
6           allowing me to testify before you today. My  
7           name is Melissa Bova. I'm the Director of  
8           Government Affairs for the Pennsylvania  
9           Restaurant and Lodging Association.

10           Our association represents over 500  
11           hospitality businesses in the City of  
12           Philadelphia who are willing and prepared to  
13           offer paid sick leave in the City of  
14           Philadelphia. A week ago, though, I had  
15           planned a very different testimony for  
16           today. That was because a week ago I was  
17           cautiously optimistic that I could tout  
18           support for a bill that not only achieved  
19           the goal of its sponsor, one hour for every  
20           40 hours worked up to 40 hours a year, but  
21           also took into consideration the uniqueness  
22           of the hospitality industry. Unfortunately  
23           today, on behalf of myself and my members,  
24           I'm frustrated and I'm disappointed. I

1 would like to take a moment to detail why  
2 that is the case.

3 Historically, as you know, the  
4 Restaurant Association usually comes before  
5 you and opposes pieces of legislation like  
6 this. We have come a long way since that  
7 time. When Mayor Nutter first appointed his  
8 Paid Sick Leave Task Force, we met with many  
9 Councilmembers and expressed the fact that  
10 we were not included on the Task Force. And  
11 we urged you to consider our industry when  
12 legislation is revealed.

13 Out of those meetings, Councilmembers  
14 expressed support to our members about  
15 taking into the uniqueness of the  
16 hospitality industry. We left those  
17 meetings with a plan. We came up with an  
18 in-house Task Force representative of our  
19 members. This included hoteliers, fine  
20 dining establishments, quick service  
21 establishments and everything in between.  
22 We did not convene this group, as I said, to  
23 dispute the idea of paid sick leave. We put  
24 this group together so we can look in the

1        nuances of the legislation and determine  
2        what clarification and changes we may need  
3        to still be able to function while achieving  
4        the goal of the bill.

5        We want to achieve the goals of this  
6        legislation. We are not opposed to the goal  
7        of this legislation. The amendments that we  
8        created address concerns that we feel the  
9        legislation did not take into full  
10       consideration. Many of those have been  
11       addressed already. I will go into them only  
12       briefly. I know time is running out.

13       We asked the ability for leave to be  
14       taken in four-hour increments. In  
15       nine-to-five jobs, if you have a doctor's  
16       appointment and you need to leave for two  
17       hours, can probably cover for you. If you  
18       have a doctor's appointment and it's from  
19       twelve to two in the middle of the lunch  
20       rush, that shift needs to be covered. Those  
21       tables need to be covered. If you provide  
22       bad service, you are losing customers. You  
23       are losing business. We requested the  
24       ability to provide leave in four-hour

1 increments so we can bring somebody in to  
2 cover a half of a shift.

3 The rest of them, because while I am, I  
4 try to be creative I'm not creative. We  
5 actually have from other pieces of  
6 legislation, two of which are from  
7 Washington, DC itself where you have heard  
8 testimony previously. We allowed up to ten  
9 days of warning for prescheduled doctor's  
10 appointment. Some cities have seven. Some  
11 have ten. But there's a variety of cities  
12 that have the requirement if you have a  
13 scheduled doctor's appointment, give seven  
14 days warning, give ten days warning so that  
15 shift can be covered.

16 If paid leave is unforeseeable -- this  
17 is in DC, as well -- the employee must  
18 provide notice as practicable. It's in the  
19 legislation but must generally comply with  
20 the employer's reasonable, normal  
21 notification policies.

22 Somebody mentioned it before, in the  
23 legislation itself it says advance notice.  
24 It doesn't say that the employer can keep

1       their current employee manual. We have  
2       members that say give us two hours notice  
3       before you call out so we can cover the  
4       shift. We are just asking a clarification  
5       to allow those employee manuals to stay in  
6       place.

7             The final one is in Portland. This was  
8       speaking to the -- the very few. 95 percent  
9       of people will not abuse this. But if you  
10      have an employee that calls out on  
11      Valentine's Day or New Year's Eve, you might  
12      not be able to open that night or provide  
13      that type of service. So if it's a  
14      mandatory shift, you take a week vacation  
15      and you call out the day before your  
16      vacation, allow the employer to ask you to  
17      provide notice or sign a form saying that  
18      you used this leave for the proper usage.

19            We met with many of you after we  
20      developed these amendments and talked to you  
21      about them in addition to the Mayor. The  
22      Mayor and everybody single person we met  
23      with, except one, voiced support to the idea  
24      of these amendments. In fact, many of them

1 even said that if it was their employees,  
2 they would want the same time of provisions  
3 and protections. In my experience of  
4 legislative work, compromise is what creates  
5 the best pieces of legislation.

6 Amendments are going into this bill, but  
7 not one single thing that we asked for is  
8 being considered or put into this  
9 legislation. Our hope was with the adoption  
10 of these amendments we could sit here before  
11 you and say that the hospitality industry is  
12 supportive of this legislation. I cannot  
13 even begin to express how frustrating it is  
14 to bring members and restaurateurs and  
15 representatives of hospitality industry into  
16 the legislative process, have positive  
17 meetings and then find out a few days later  
18 that not a single conversation is being  
19 taken into consideration and the needs of an  
20 industry that employs over 60,000 people are  
21 not being addressed.

22 As I said at the beginning of my  
23 testimony, we are frustrated but we still  
24 want to work with you. We want to work with

1       you. Please work with us. To be more  
2       helpful, I do believe there was concerns  
3       about the fact that some of the items you  
4       were asking for were not in other cities. I  
5       have pulled the legislation from other  
6       cities and cited specifically where some of  
7       those provision are in the legislation.

8           As I said, please consider these four  
9       amendments and consider the hospitality,  
10      industry. We want to support this  
11      legislation. We want to provide leave. We  
12      just need to be taken into consideration in  
13      the process.

14           Thank you.

15           COUNCILWOMAN TASCO: Thank you very much  
16      for your testimony. Councilman Greenlee  
17      would like to respond.

18           COUNCILMAN GREENLEE: Yeah. Thank you,  
19      Madam Chair.

20           First of all, Ms. Bova, let me just say,  
21      I met with you. And I think I was the one  
22      you probably referred to that did not agree  
23      with you. It wasn't that we didn't take  
24      that into consideration. I tried to take

1 personally everything into consideration.

2 Sometimes people don't agree, you know.

3 I think there is language in this Bill  
4 presently that really covers what you're  
5 saying or for the most part, maybe not every  
6 single part. For the most part.

7 Just for example, in the need for sick  
8 time is known to the employee in advance  
9 such as for a scheduled appointment with a  
10 healthcare provider, the employee shall  
11 provide notice of the need for such time to  
12 the employer in advance.

13 MS. BOVA: What is advance?

14 COUNCILMAN GREENLEE: Now, it doesn't  
15 give a specific time because sometimes you  
16 don't know if your -- you may get your  
17 appointment five days before.

18 MS. BOVA: Absolutely.

19 COUNCILMAN GREENLEE: Or three days  
20 before or seven days before. So, I think to  
21 try to put a distinct time on there, in my  
22 opinion, won't work. And, you know, I know  
23 you said some cities have -- they have  
24 various regulations.

1 MS. BOVA: Seven to ten. And a majority  
2 of them have that specific in the language.

3 COUNCILMAN GREENLEE: All right. I'm  
4 not going to get in a debate about that.

5 The problem is that if an -- the fact is  
6 if an employer feels that an employee is  
7 taking undue advantage like, for example  
8 call -- I know when we met, I forget who it  
9 was that suggested it. Somebody could come  
10 in two days later and say I was sick the  
11 last two days. Well, that employer would be  
12 absolutely within their rights to not give  
13 them the sick leave because clearly that is  
14 not reasonable. We use reasonable,  
15 practicable application here.

16 And the reason we keep it general like  
17 that is, yeah, could an employee try to take  
18 advantage of this? To be honest with you,  
19 if you make it too specific, an employer  
20 will try to take advantage of it. It can go  
21 both ways. We are trying to find in talking  
22 to a lot of people, we thought that this was  
23 the best way to do it.

24 It's not that we don't respect

1 restaurants. We're glad we got a restaurant  
2 city here. I will say, though, and I have  
3 to put this on record just to be fair to  
4 everybody, that the -- most of the  
5 complaints we heard from employees over  
6 these eight years that we've been dealing  
7 with this bill in Philadelphia, the majority  
8 of them came from restaurant employees who  
9 said that restaurants did not treat their  
10 people fairly and gave various examples like  
11 the gentleman had today.

12 I'm not saying that's the majority. I  
13 don't think it is, but I don't think it's  
14 the majority of employees that's going to  
15 trying to take advantage either. I think,  
16 as in anything, we are trying to reach a  
17 balance here. So again, I want to assure  
18 you we are not trying to ignore restaurants.  
19 We have gotten letters from lots of  
20 restaurants, you know, advocating their  
21 position. I understand it.

22 I just think that our legislation covers  
23 without being as specific as maybe you folks  
24 would want it to, covers what would be any

1 kind of egregious activity by employees.  
2 And in fairness, I think a couple of the  
3 things that you are asking for here is so  
4 general that I could really see being a  
5 problem.

6 When you say employer's reasonable,  
7 normal, notification policy. What's that?

8 MS. BOVA: An existing --

9 COUNCILMAN GREENLEE: What is normal --  
10 reasonable and normal and to you might not  
11 be reasonable and normal to me. So, I think  
12 all that would do --

13 MS. BOVA: Can I address a few of your  
14 comments?

15 COUNCILMAN GREENLEE: -- is generate  
16 more complaints that more people,  
17 employer/employee, will be putting in more  
18 complaints if that is the case.

19 And just one other thing. "Indication  
20 but not limited to repeated use of  
21 unscheduled sick time."

22 Again, very general term. I'm really  
23 concerned about putting something that  
24 general in that can -- that could really

1 affect -- that could be used -- misused  
2 clearly both ways. And I don't think -- as  
3 the gentleman from DC said, I think you  
4 adjust as time goes on. I don't think  
5 you're going to have to adjust as much as  
6 you think. I think oftentimes you are  
7 thinking here about the worst-case  
8 scenarios.

9 And again, are there bad employees here  
10 or there? Sure, because we are dealing with  
11 human beings. But I think most people, if  
12 they are treated right, will act right. And  
13 I think that's the way -- I think that's  
14 what you'll see here.

15 (Applause)

16 Lastly, as Council Chair said, nothing  
17 is written in stone here. If we find out as  
18 time goes on, on any issue brought up here  
19 either by the supporters or the opponents --  
20 as time goes on, if we find out that there  
21 is a problem with that, we can always  
22 make -- put in another bill to amend that  
23 part out. Personally, I don't think that's  
24 going to happen. You know, I don't think

1 Philadelphia is going to be that different  
2 from all these other cities and states. But  
3 if we find out there's a problem, we will  
4 deal with it.

5 But I think after a while, you have to  
6 make a decision. If you keep amending stuff  
7 and taking the possibility of more people  
8 not getting sick leave, you know, obviously  
9 that's not the intention of the Bill. The  
10 intention of the bill is to give people sick  
11 leave and give it reasonable to both  
12 employers and employees. Again, you know,  
13 as time goes on, if there is changes that  
14 need to be made, we will certainly talk  
15 about those changes.

16 MS. BOVA: May I adjust just a few  
17 points that you made?

18 You're right. If an employee calls out  
19 on Valentine's Day, an employer says -- or  
20 calls out for two days, employer says, okay,  
21 I don't think this is fair. I am going to  
22 let you go. There is recourses in this  
23 legislation for an employee to go -- to  
24 ensure that the business is ensuring

1 basically -- there is nothing in here for  
2 the businesses. There is nothing that  
3 protects us.

4 All we are asking is the ability to have  
5 a normal leave policy. Your legislation  
6 says give advance notice. What's advance  
7 notice? So if somebody calls out 30 minutes  
8 before the shift and says, I'm sorry, I'm  
9 not feeling well, well that's advanced  
10 notice. So now, I have restaurants that are  
11 going through weeks of proving their records  
12 and showing records when all we're asking  
13 for is the ability if you have a two-hour  
14 warning window, let us be able to have that.  
15 It's -- it's literally clarification that we  
16 are looking for here. That is all we are  
17 asking. We want to be able to support it.

18 Like I said, I didn't invent the wheel  
19 here. The warning for -- you're right. If  
20 you have a doctor's appointment five days  
21 ahead, that's not what we're asking for  
22 here. We're saying your yearly physical,  
23 you have a dentist appointment, give us a  
24 week's notice. Let us cover the shift.

1 That -- that's what we're asking for here.

2 COUNCILWOMAN TASC0: That shouldn't be  
3 very difficult. Most doctors can't give you  
4 an appointment for six months. They should  
5 know pretty much --

6 MS. BOVA: Agreed.

7 COUNCILWOMAN TASC0: -- when they are  
8 going to have a dental appointment unless  
9 it's an emergency.

10 MR. GROSE: That's exactly our point.

11 MS. BOVA: Agreed.

12 COUNCILWOMAN TASC0: It's being a  
13 patient of doctors. Thank you.

14 Councilwoman -- you finished?

15 COUNCILMAN GREENLEE: Yeah.

16 COUNCILWOMAN TASC0: Quinones.

17 COUNCILWOMAN QUINONES-SANCHEZ: I want  
18 to add because we have met with all of the  
19 industry. I think on this piece of  
20 legislation, everybody has been as  
21 deliberate as they possibly can. I think  
22 Councilman Greenlee was very cooperative  
23 with the Task Force. You know, we've met  
24 around this, what are these non-emergency

1 issues. I think the bill sponsor is more  
2 than willing to look at any potential abuse  
3 issues. this is going to be a  
4 complaint-driven kind of scenario.

5 But I just want to say for the record  
6 because I heard the Chamber earlier and --  
7 and now is -- speaks about the hotel  
8 industry. You know, we give tax credits and  
9 benefits here to every -- I have been in  
10 Council seven years. There has not been a  
11 hotel that has been built in the City where  
12 this Council has not said tax break, you  
13 know, tips, everything. We have -- we have  
14 proven -- (applause) -- time and time again  
15 that this industry in particular is very  
16 important to us.

17 But like the Councilman has said, where  
18 we heard a lot of the very sad stories was  
19 in the restaurant association. And what I  
20 encourage you to do, as we have done with  
21 the Task Force is, let's work through this  
22 implementation process. Because I think  
23 there is a lot of information that has to be  
24 shared both with the restaurant industry and

1 the Administration around, how we are going  
2 to regulate this, how we are going to  
3 monitor this.

4 But for us, it's very disheartening to  
5 always hear, you know -- you know, doom and  
6 gloom. I think every piece of legislation  
7 that we have done has been extremely  
8 thoughtful. And I think there is -- you  
9 know, I'm glad that you are willing to work  
10 with us as we do this implementation  
11 process. But we did hear you. I think the  
12 terminology situation, we could play words  
13 man ship with this legislation and never get  
14 it done. And I have learned in this Council  
15 that we never make perfect legislation, but  
16 we definitely try to improve on what we have  
17 done.

18 I just encourage this particular  
19 industry to work with us because this is the  
20 industry that is going to be the most  
21 impacted, but this is also the industry  
22 where the workers need to be the most  
23 protected. And so, we have an obligation on  
24 both sides of it. And we are committed to

1 continue to work with it. But I definitely  
2 don't want there to be a record that we  
3 weren't considerate and there wasn't a lot  
4 of thought to it.

5 Councilman Greenlee, you know, and our  
6 Law Department, everybody worked extremely  
7 hard to make sure if you have an employee  
8 that calls out two days and comes back --  
9 calls out on Valentine's Day and it's in the  
10 restaurant worker, I can guarantee you  
11 you're going to find another reason to get  
12 rid of that worker. That sick day is not  
13 going to be the one. That's an employee  
14 that you don't want anyway.

15 (Applause)

16 I only say that because I don't -- I'm  
17 glad you clarified it towards the end. I  
18 don't want anyone to think that the industry  
19 is not for sick leave. Because I -- we met  
20 with a lot of folks from the industry who do  
21 this and do this well and value their  
22 employees. And so, I just think that this  
23 is a step in the right direction and  
24 everybody in this table is willing to work

1 through the implementation process to make  
2 this as seamless as possible as it can be  
3 for the industry.

4 So thank you.

5 COUNCILWOMAN TASCO: Any other questions  
6 or comments?

7 Mr. Neilson.

8 COUNCILMAN NEILSON: Thank you, Madam  
9 Chair. Thank you both for testifying today.  
10 I am one that has met with you on many  
11 occasions on many of these issues. And I  
12 have to say I have met with Councilman  
13 Greenlee on these issues, as well. And  
14 there was not one day where he shut his door  
15 and did not let me in. Although we agreed  
16 not to agree on things, we came to  
17 conclusions. And today is putting forth  
18 amendments, some of the concerns of the  
19 business community as well as yours that  
20 were covered.

21 I want to echo Councilwoman Sanchez's  
22 point, is the regulation process. The  
23 regulation process in this legislation is  
24 probably going to be the most important one

1 as this goes forward. Because as we all see  
2 the handwriting on the wall today, it's  
3 going forward. But that is going to be key  
4 to make certain that you play a key role  
5 into that, too. This can be further  
6 defined. Those grey areas have to get taken  
7 out of it. There are grey areas with every  
8 piece of legislation that would pass in City  
9 Council.

10 And hopefully, we can work out those  
11 concerns. And I'm certain that Councilman  
12 Greenlee will have me by his side and all of  
13 us by his side so we will try and work out  
14 all those concerns. And hopefully, we will  
15 have a better workplace for all those  
16 Philadelphians. Thank you for coming in and  
17 supporting the concept. I think that took a  
18 lot. Sometimes we have to swallow a little  
19 bit of pride, say, look we love it, but we  
20 like it.

21 But thank you for all you do. 60,000  
22 employees is nothing for us to sneeze about.  
23 We do take your concerns seriously. And I  
24 just wanted to let everybody know that and

1       thank the Councilman for -- on the record  
2       for everything, the conversations we have  
3       had in the late nights. Bill and I have  
4       spoke dozens of time.

5           And I'm a labor guy. Everybody knows  
6       that. I come from a working class family  
7       and I come from the construction industry  
8       who never got a paid sick day in my life  
9       until I joined government, but I understand.  
10      I understand it. So, I look forward to  
11      working with you in the future and making  
12      our City brighter and a better place for all  
13      the workers and the people that visit.

14           Thank you, Madam Chair.

15           MS. BOVA: Thank you.

16           COUNCILWOMAN TASCO: Thank you very  
17      much, Councilman Neilson. Recognize  
18      Councilman Goode.

19           COUNCILMAN GOODE: Thank you, Madam  
20      Chair. Good afternoon and thank you for  
21      your testimony.

22           Questions for both witnesses. There are  
23      hotel associations and restaurant  
24      associations in cities where paid sick leave

1 has been enacted.

2 Did you reach out to those associations?  
3 If so, what did they tell you about their  
4 experience? And if not, why not?

5 MS. BOVA: We have reached out to other  
6 associations. I would say it's a mixed bag.  
7 A lot of the cities that have already passed  
8 it, have just started implementation so they  
9 really don't -- haven't figured out quite  
10 how to work it yet.

11 For example, there are some small  
12 businesses that are struggling with it that  
13 we have heard from other associations.  
14 Others have found a way to adapt. It's a  
15 mixed bag. And that's honestly, as I said,  
16 we have always opposed this. And we have  
17 looked into ourselves as an association. We  
18 have talked to our members. We represent  
19 the whole gamut. We said, okay, we can do  
20 this.

21 COUNCILMAN GOODE: So, the mixed bag is  
22 we don't know how to work it out yet, or  
23 it's working? No one told you that it's not  
24 working?

1 MS. BOVA: I have not had any  
2 association say that they have had  
3 businesses close because of it. I have had  
4 associations say they had to hire less  
5 employee. I have had businesses say that  
6 they had to raise prices. I have not heard  
7 an association say they have had to close  
8 because of this.

9 COUNCILMAN GOODE: Please give me  
10 specific examples of that.

11 MS. BOVA: Well, I talked to the other  
12 associations, so they didn't give me --

13 COUNCILMAN GOODE: What jurisdictions  
14 and which --

15 MS. BOVA: I've talked New York City.  
16 I've talked to the California Restaurant  
17 Association which has it in San Francisco.  
18 I've talked to those two. I've also talked  
19 to, Washington DC. We have some members  
20 that have locations in Washington, DC who  
21 are doing okay. Those are the three that I  
22 have talked to.

23 COUNCILMAN GOODE: Okay. And in the  
24 cities where there is paid sick leave and

1       there is data, the data refutes the  
2       anecdotal.

3           MS. BOVA: It depends on how you look at  
4       data. And let me clarify that for you.

5           COUNCILMAN GOODE: You don't need to  
6       clarify for me.

7           MS. BOVA: In a lot of the polls -- oh,  
8       okay. Well, let me just -- in the polling  
9       that takes place, let's say 70 percent of  
10      the businesses who say that it hasn't impact  
11      them, might have already offered paid leave  
12      before this went into effect. And then you  
13      might have 15 percent that says it does  
14      impact them because they didn't offer it and  
15      they had to figure it out.

16           It depends on how you look at what  
17      amount of the businesses surveyed. Did you  
18      survey a 100 businesses that never offered  
19      it before? I bet that's little bit  
20      different then surveying a hundred  
21      businesses where some did or it didn't.

22           COUNCILMAN GOODE: So, you're saying you  
23      don't know by the data what the data means?

24           MS. BOVA: Depends on --

1 COUNCILMAN GOODE: You're saying, you  
2 can't tell by the data --

3 MS. BOVA: I have studies that show that  
4 in some of the places where they say  
5 70 percent of the businesses are not  
6 impacted, it's because 70 percent of the  
7 businesses surveyed offered paid leave  
8 before the legislation was passed. And I  
9 have studies that showed that.

10 COUNCILMAN GOODE: But none of the  
11 associations in the other cities told you  
12 that it ruined the market.

13 MS. BOVA: I'm sorry. What was --

14 COUNCILMAN GOODE: None of the  
15 associations within other cities of paid  
16 sick leave told you that it ruined the hotel  
17 market?

18 MS. BOVA: No. And that's why we  
19 changed our position on it. Yes.

20 COUNCILMAN GOODE: Okay.

21 MR. GROSE: For us, Councilman, for us  
22 it's some parts of this bill that, you know,  
23 we are already -- the hotels already offer,  
24 give or take, nine days of PTO per year.

1 COUNCILMAN GOODE: Let me remind you of  
2 the question. The question was, there are  
3 hotel associations --

4 MR. GROSE: Yes.

5 COUNCILMAN GOODE: -- restaurant  
6 associations --

7 MR. GROSE: Okay. I was getting to  
8 that. Let me just finish and then -- where  
9 we -- you know, because all of our hotels  
10 like the Marriotts, the Hyatts, the Hiltons,  
11 they have the same policy in every city.  
12 Where we with this particular bill, we would  
13 like to see it better defined, as Melissa  
14 spoke about, with the advanced notice. And  
15 then we also being able to take the paid  
16 sick leave in hour increments.

17 COUNCILMAN GOODE: You don't want to  
18 answer my questions first.

19 MR. GROSE: No, but I am trying to  
20 answer your question.

21 COUNCILMAN GOODE: You --

22 MR. GROSE: I looked at other -- I  
23 looked at the bills.

24 COUNCILMAN GOODE: I asked you whether

1       you've talked to associations.

2           MR. GROSE: The reason I -- the answer  
3       to your question on that is no because this  
4       bill is unique from the other cities.

5           COUNCILMAN GOODE: The question -- the  
6       question is, have you talked to  
7       associations, hotel associations, in cities  
8       that have paid sick leave? If so, what did  
9       they tell you about their experience? If  
10      not, why --

11          MR. GROSE: Okay. I'll tell you what  
12      they told me. They don't have the same  
13      provisions in their bills that we have in  
14      ours. That's what I was told. It's the  
15      hour increments. We can't -- we can't have  
16      our employees taking off.

17          For example, a banquet server if they  
18      take -- if they have a doctor's appointment  
19      between the hours of twelve and one --

20          COUNCILMAN GOODE: So -- so do they  
21      tell you --

22          MR. GROSE: Can I finish please? You  
23      can not take off between the hours of twelve  
24      and one --

1 COUNCILMAN GOODE: You already answered  
2 the question.

3 MS. BOVA: -- because we have to replace  
4 them with a full-day person.

5 COUNCILMAN GOODE: You've already answer  
6 my question. I have a second question.

7 MR. GROSE: Okay.

8 COUNCILMAN GOODE: The second question  
9 is, you have talked to them. Did they tell  
10 you that it hurt the hotel market?

11 MR. GROSE: We already knew it didn't  
12 hurt the hotel market.

13 COUNCILMAN GOODE: Okay, thank you.  
14 Thank you, Madam Chair.

15 COUNCILWOMAN TASCO: I think some of the  
16 issues you raised -- thank you,  
17 Councilman -- can be worked out with the  
18 employees and as we move along. Again, this  
19 is a not set in stone. This bill can be,  
20 once we have some experience with the  
21 provisions of this legislation, we can  
22 always come back and discuss it. And we can  
23 always come back and amend it if necessary.  
24 But we have to be given a strong argument to

1 make that change.

2 Councilman Greenlee.

3 COUNCILMAN GREENLEE: It just -- glad  
4 you brought that up, Madam Chair.

5 Just part of the bill towards the end of  
6 the bill it says one year from the effective  
7 date of this chapter, the agency that is who  
8 is going to be enforcing this shall issue a  
9 report on implementation, which will include  
10 information on outreach efforts, number of  
11 complaints filed and disposition of those  
12 complaints.

13 So, we should be able to judge there  
14 after a year what has happened. And I dare  
15 say in a year, your industries are not going  
16 to fall apart. I would go on record in  
17 saying that.

18 MS. BOVA: We don't believe we will fall  
19 apart. That is why we are supportive of the  
20 legislation.

21 COUNCILMAN GREENLEE: And after a year,  
22 we will see if some of those concerns --  
23 maybe some of your concerns happen or maybe  
24 some didn't or maybe some employees'

1 concerns happen that we didn't see.

2 MS. BOVA: We just felt in this round  
3 that we weren't heard and not a single thing  
4 was considered. So, we thank you for saying  
5 that in a year you will or whatever amount  
6 of time you will relook at this. That's  
7 where the frustration comes from.

8 COUNCILMAN GREENLEE: I wouldn't say  
9 considered. Not agreed with. That's two  
10 different things.

11 MS. BOVA: Not agreed with.

12 COUNCILMAN GREENLEE: Okay? All right.  
13 Thank you.

14 COUNCILWOMAN TASCO: Thank you both very  
15 much for your testimony. We appreciate.

16 Our next panel is Ms. Virginia Simmons,  
17 Andre Butler, Raphael Curtis and James  
18 Meadows. You're coming next. Are they  
19 still here?

20 (Panel approaches table.)

21 The last panel will be Ms. Helen Gym,  
22 Reverend James and Marianne Bellesorte.  
23 Thank you.

24 MS. SIMMONS: Good afternoon, everyone.

1 I really --

2 COUNCILWOMAN TASCIO: What's your name  
3 first? Identify yourself.

4 MS. SIMMONS: I'm sorry. My name is  
5 Virginia Simmons. And I actually am with  
6 the group here Action United, but I came to  
7 speak on my behalf personally why this  
8 affects me with the paid sick leave for  
9 employees and also health benefits.

10 I've been ill for 15 years now. I'm 63  
11 years old. I -- this really, really affects  
12 me because I would not be able to live in  
13 the community without my attended care  
14 services. And some of my attendants have  
15 been with me -- I have five attendants --  
16 have been with me since I been out of the  
17 nursing home. Without them, I would have to  
18 live in a nursing home. I'm very  
19 independent as much as I can, but right now  
20 the attendant that is supposed to be with me  
21 now had to go out on sick because she had a  
22 cold. A cold is detrimental to me and my  
23 health.

24 She has no paid sick leave. And being

1       who I am, I don't like a lot of strange  
2       people in my house. So, I would like to  
3       keep the attendants that I have with me.  
4       But a lot of times I lose them because if  
5       they get the flu or something, and they only  
6       have a three-day sick day, then I lose that  
7       attendant. That really, really bothers me  
8       because as everyone knows -- I don't know if  
9       you know or not -- you live longer when  
10      you're out of a nursing home.

11       Nursing homes are for people who need to  
12      be there, but I don't need to be there. I  
13      have assistance to keep me out. And it's  
14      really, really, really important to me that  
15      this bill get passed. I'm surprised there  
16      are not other people in wheelchairs here  
17      because we are really, really affected by  
18      this more than anybody can ever think  
19      because they are our legs, our eyes and our  
20      hearing. And it's very important to me.  
21      And I had to be here. I'm not feeling well,  
22      but I had to be here because it's that  
23      important to me.

24       Thank you.

1 COUNCILWOMAN TASC0: Thank you.

2 (Applause)

3 Next. Thank you for coming. We  
4 appreciate it very much. Mr. Butler.

5 MR. BUTLER: Good afternoon, Madam  
6 Chair. My name is Andre Butler. And I'm  
7 with the Philadelphia Unemployment Project  
8 along with Tenants Union Representative  
9 Network. And I've spoken to this Council  
10 since the inception of this issue. I've  
11 also been to a couple of the Mayor's Task  
12 Force.

13 It's a privilege to be here, but I would  
14 say we really shouldn't have to be here.  
15 Today I'm privileged to testify on this  
16 panel today because I believe it was '58 or  
17 1959 today. It was first day an  
18 African-American was admitted to Alabama  
19 University. So, I'm glad to be here. On  
20 behalf of -- unfortunately, as someone  
21 testified earlier, minorities are  
22 unfortunately adversely affected by non-paid  
23 sick days as well as other people. It's an  
24 issue that's very important.

1 I want to thank the Chair Ms. Tasco,  
2 Councilman Greenlee who has been advocate  
3 with TURN for over the years. He and I have  
4 had some personal differences on policies,  
5 but I thank him for his support. Councilman  
6 Goode and I have always had a little bit of  
7 back and forth but he supported paid sick  
8 days and supported TURN. I thank him for  
9 his as well as other Councilmembers.

10 Couple of ironies. The people who are  
11 here that sat at this panel that opposed  
12 sick days, opposed some variation of it,  
13 believe it or not they have sick days. They  
14 got earned sick days. It's paradoxal they  
15 don't want us to have it. Just that -- find  
16 that kind of weird.

17 The Chamber of Commerce people that were  
18 testifying about they want benefits to grow.  
19 Keep one thing in mind, and I want to give  
20 my employee/citizen opinion of what  
21 Councilman Greenlee and Cindy Bass --  
22 Councilman Tasco was saying. This is a city  
23 of brotherly love and sisterly affection.  
24 If a business doesn't want to support its

1 workers with sisterly love and brotherly  
2 affection, we don't want that business here  
3 in Philadelphia. We don't want it. We  
4 don't want it.

5 (Applause)

6 When you all -- the Councilmembers who  
7 support this bill are saying that you  
8 leaving certain things vague, that's because  
9 you support brotherly love and sisterly  
10 affection. And when you put specifics on  
11 those specific things, that's not showing  
12 brotherly love or sisterly affection. We  
13 definitely support you and the way that you  
14 decided to have this.

15 If you do look at this bill in another  
16 year, look at it also on our side, too.  
17 Maybe we should make the carve out a little  
18 bit lower. Make some of those things a  
19 little bit more vague to give us a little  
20 bit more freedom here.

21 I'm a temp worker. I'm a banquet server  
22 and I work for a staffing agency. So, some  
23 of those things you are talking about, the  
24 four hours, I see and we see because that's

1 what they do anyway. A lot of businesses  
2 are in other counties. They will call up  
3 the agency eleven o'clock. Can you get me a  
4 banquet server to King of Prussia by two to  
5 work four hours, two to six. All right is  
6 that really worth it for us all the time?  
7 No, it's not. A lot of time we get the  
8 brunt of them wanting to cover a short  
9 shift.

10 All that stuff I understand very well.  
11 But look at the other side, they are paid to  
12 cover that stuff. When they talk about I'm  
13 short a waiter or I'm short a busser,  
14 managers get paid to cover that. I know in  
15 the industry so many times you see maitre  
16 d's serving tables, banquet managers serving  
17 tables. I tip at the Four Seasons. Many  
18 times the host and the hostess is out there  
19 serving tables because people call out sick.  
20 They are paid extra money because they can  
21 cover that shift. So when they cry about we  
22 need someone to cover, they are getting  
23 paid. They are getting paid for that issue.

24 So, this is an issue that's very

1 important. And people remember, it's earned  
2 sick days. We're not asking anything for  
3 free. We are earning our sick days. We are  
4 earning our right to have them.

5 (Applause)

6 Two very quick stories. Had a coworker  
7 who was pregnant. She tried to come to work  
8 pregnant. She got sick on the way from the  
9 agency to the job. She had to go back to  
10 the agency to wait for her husband to come  
11 pick her up. Agency never called her again.  
12 Why? Because she couldn't work that day.  
13 Never got called again. She got black  
14 listed because she could not -- she couldn't  
15 go to work that day.

16 I'm dealing with an issue right now. My  
17 father, unfortunately, left this world a  
18 little over a year ago. And there were days  
19 that I should have taken off to be with him  
20 in the hospital. I couldn't do it. Why?  
21 I'm an on-call banquet server. When I felt  
22 sick or he was sick, I had to go to work.

23 My mother still constantly almost every  
24 day of my life tells me, Andre, if you had

1        been there, I think, daddy would have still  
2        lived. I don't know that to be a fact, but  
3        she was with my father 365 for three and a  
4        half years. She's telling me dad was  
5        calling for you. Dad was calling for you.  
6        Dad wanted to see you. I'm like, okay, mom,  
7        I will be there tomorrow, I be there next  
8        day. Next day call come in, go in to work.  
9        I'm affected every day knowing that there's  
10       a possibility my dad would still be here if  
11       I could have had an earned sick day.

12       So, I'm glad this legislation is here.  
13       I'm hoping that it's enacted, that you all  
14       vote for it. And please keep in mind, we as  
15       workers just want the same thing that all  
16       those people had that opposed it, our right  
17       to an earned sick day.

18       Thank you.

19       COUNCILWOMAN TASC0: Thank you very  
20       much. Mr. Curtis or is it Custis?

21       MR. CURTIS: Hello. Thank you for the  
22       opportunity to --

23       COUNCILWOMAN TASC0: Please, your name.

24       MR. CURTIS: I'm sorry, ma'am. My name

1 is Raphael Curtis. I just want to thank you  
2 for the opportunity to speak to you today.  
3 I'm 24 years old. I work in fast food. I  
4 am here today to add yet another voice  
5 saying our City and our workers need  
6 guaranteed paid sick time.

7 Huge fast food corporations like  
8 McDonald's make massive profits. Their top  
9 executives make thousand of dollars an hour,  
10 but workers like us make minimum wage or  
11 close to it. We are the ones out there  
12 making and serving the food, getting cuts  
13 and burns and standing on our feet for  
14 hours, but we don't make enough to survive.

15 We have to live with relative, skip  
16 medical care, choose between feeding  
17 ourselves and paying the electric bill. We  
18 struggle hard every day. McDonald's won't  
19 share their huge profits with us. So, we've  
20 been organizing and speaking out and going  
21 on strike.

22 It's not just the low pay. It's the  
23 total lack of benefits. We don't get  
24 healthcare. We don't even get sick days

1 even though we are serving food and handling  
2 money all the time. We can't get paid for  
3 taking day -- a day off to get better. We  
4 have to choose between keeping our germs out  
5 of the kitchen and go towards a gas --  
6 excuse me, making a day's pay. We have to  
7 choose between resting to get better and  
8 making a little more that could go towards a  
9 gas bill or rent.

10 For too many of us, there isn't a  
11 choice. We need to make every penny we  
12 think -- we need to make every penny we can  
13 when we earn these low wages. I have seen  
14 people work sick in the kitchen because they  
15 just didn't think they could risk upsetting  
16 the managers by taking off a day. I've been  
17 really sick and had to lose a pay because I  
18 couldn't get out of bed. I heard of a fast  
19 food worker who tried to call out for a  
20 stomach bug. My manager told her that if  
21 she didn't come in, she would be fired.

22 She went to work and was sweating all  
23 over the food. She was running back and  
24 forth to the bathroom, and her manager told

1 her to stop. She ended up defecating on  
2 herself. Is this what humans deserves? Not  
3 only is it dehumanizing, it's obviously  
4 unsanitary. This isn't right.

5 Workers, especially food service  
6 workers, need to be able to get better and  
7 not to have -- to lose precious pay. We  
8 should be able to keep our germs away from  
9 customers so more people don't get sick. We  
10 should be able to stay home and take care of  
11 our children if they are sick.

12 Paid sick leave laws have been a huge  
13 success in other cities. Philadelphia needs  
14 to catch up and make sure we have a healthy  
15 city.

16 Thank you.

17 (Applause.)

18 MR. MEADOWS: Good afternoon, ladies and  
19 gentleman. Good afternoon, Chair, Council,  
20 City Council. My name is James Meadows.  
21 And I'm here to testify today concerning the  
22 paid sick days, as well.

23 I've been on both sides of the fence.  
24 I'm a new business. I have a new business.

1 And name of my business Advanced Small Items  
2 Movers. However, I have experienced that  
3 part of being an employee. I've worked for  
4 the restaurant business for eight years. I  
5 have experienced what it's like to be sick,  
6 to have to work and continue to work because  
7 you still have bills that must be paid, you  
8 still have things that you need to take care  
9 of. For some of us, we still have loved  
10 ones that we have to take care of.

11 I have four employees which respect me  
12 and I respect them. I expect the best from  
13 them. They expect the best from me. I try  
14 to give my employees the best because of the  
15 simple fact when you do not give your  
16 employees the best, then they will not give  
17 you the best service for your customers.

18 I believe in taking care of my  
19 customers. I believe in -- that customers  
20 comes first. When a lot of these business  
21 and even these people that have testified  
22 here today refuse to view or to listen to or  
23 to even acknowledge the fact of their  
24 foundation. Their foundation is not the

1 corporate. Their foundation is not those  
2 that are at the top of the list. The  
3 foundation has to start at the bottom.

4 I believe this foundation starts at the  
5 bottom with the people that worked hard for  
6 them, with the people that put forth the  
7 effort to show up on time and to go through  
8 their -- the hard trying times of running  
9 their business and making certain that  
10 customers get the best service.

11 Again with being sick, it is a horrible  
12 thing to work in a restaurant or a hotel or  
13 anywhere being sick. I've experienced that.  
14 I've been sick. I've had fevers. I had  
15 stomach virus. I puked. I used the  
16 bathroom frequently. I all but passed out,  
17 and if I was revived, I would have still  
18 went to work. This is the type of  
19 conditions that we are working under. This  
20 is the type of conditions that people are  
21 under. This is the reason why stress is so  
22 high because there is so many of us, and not  
23 just within the smaller jobs, within all  
24 jobs.

1           Everybody should get paid sick days.  
2           It's enough that you have to go through what  
3           you have to go through, and that's just  
4           life. It's -- we have to go through life  
5           with these type of circumstances. Again,  
6           with my business being as there is very  
7           expensive items that we move out of people's  
8           homes, that we move into people's homes, I  
9           have to be very cautious of who works for  
10          me. If I'm not cautious about who works for  
11          me, then I suffer a loss. If somebody takes  
12          something, somebody steals something, it  
13          falls on me.

14          I want to make certain that if my  
15          employees have a paid sick day or if they --  
16          if we have a bigger job or a larger job, I  
17          make certain they get larger money. And I  
18          let them know, you take care of me and I  
19          will take care of you. It's the same thing.  
20          I'm very small compared to a lot of the rest  
21          of these companies, Comcast and all the rest  
22          of these companies that have it, Marriott.  
23          All of them have it. These places have it.  
24          They have it to pay.

1           When you look at figures like this, this  
2           is coming from the U.S. Census, when you  
3           look at figures and this is just for the --  
4           this is just for the 19139 area code, you  
5           have 308,942 people in that area code. Out  
6           of that within the last past month, this is  
7           going from 2009 to 2013, there is 65,050  
8           that are poverty stricken in that  
9           neighborhood. This is out of those who are  
10          working.

11          Out of the males, you have male  
12          householder with no wife. It's 6,713. Out  
13          of a female household with no husband, it's  
14          43 -- it's a wallop 43,308 that is  
15          poverty stricken of the females. This is  
16          what our economy looks like. This is below  
17          poverty level. These are people that desire  
18          to do the right thing. These are people  
19          that work hard, desire to give good services  
20          but can't. Can't because I have to go to  
21          work sick. And if I continue to go to work  
22          sick, chances are I'm going to get sicker.  
23          Now instead of me missing maybe one day or  
24          two days, which is what they're not

1 realizing, I'm going to miss a whole week  
2 worth of work. Whereas, if I had that one  
3 paid sick days, I could have just kept my  
4 balance.

5 So I just -- I just stopped by today  
6 basically to let everybody know that the  
7 workers, employees as well as employers are  
8 important. But it's a shame and a disgrace  
9 when you have greedy employers. \$0.25 is  
10 not a whole lot. \$0.25 an hour for 40  
11 hours, one-hour credit, that's not a whole  
12 lot to give. These are greedy folks.

13 And I would appreciate it if y'all would  
14 consider that, consider passing that bill,  
15 consider making this a law. We depend on  
16 y'all as legislators. We depend on y'all to  
17 be the leaders, and we depend on y'all to  
18 uphold our rights.

19 And I thank y'all so much for even  
20 considering this. Council, I really do. I  
21 appreciate it. Everybody take care. That's  
22 my testimony.

23 COUNCILWOMAN TASCIO: Thank you. Thanks  
24 very much. We appreciate your time, taking

1 time to come testimony.

2 I want to say to Mr. Butler, we don't  
3 want the businesses to leave. We want the  
4 businesses to stay in Philadelphia. We need  
5 them. But we have to find a way to work  
6 together to address the issues that come  
7 before us. So, they are very vital to the  
8 City. The workers are vital to the City.  
9 We just have to find a common ground on how  
10 we work things out. So, don't throw them  
11 out. I want them to stay. Okay. They  
12 provide services and taxes. Okay.

13 Next, our next panel Reverend James. I  
14 see Ms. Gym is coming and Marianne  
15 Bellesorte.

16 (Panel approaches table.)

17 These are our last two witnesses. If  
18 there is anyone else, please let us know.  
19 We will -- when these witnesses end their  
20 testimony, and we will call for the vote on  
21 the bill.

22 Ms. Gym, how you doing?

23 MS. GYM: Good afternoon. Thank you  
24 very much. I'm going to be very brief

1 because I think it's far more important that  
2 we get to the vote after -- especially after  
3 listening to the testimony that comes before  
4 us.

5 I understand that this is a political  
6 issue. I understand that paid sick leave is  
7 an economic issue. But after listening to  
8 so much testimony, I think it's also very  
9 clear that it's a moral issue that we are  
10 dealing with. It's time for the City to  
11 step forward into a moral future.

12 (Applause)

13 I want to say just very quickly a few  
14 comments about what it's like for many  
15 Philadelphia families to send their children  
16 to school and to not have a paid sick leave  
17 policy. We've got hundreds of thousands of  
18 parents whose children attend the  
19 Philadelphia public schools. As we know,  
20 39 percent of our City's children live in  
21 poverty, which is an absolute disgrace. We  
22 know that a huge number of them are located  
23 within our Philadelphia public schools. But  
24 what is even more distressing is that so

1 many of them attend schools where there is  
2 not even a school nurse on staff.

3 We know very well the consequences of a  
4 massive and dangerous shortage of nurses in  
5 our schools. We know that children in  
6 poverty are vulnerable to life threatening  
7 situations which can come up, should and  
8 often do crop up at a moment's notice, and  
9 that parents are frequently called out of  
10 work to come pick up their children from  
11 school because there are no school nurse.  
12 We have one nurse for every 1,500 students.

13 Schools that once had nurses five days a  
14 week may only see them five days a month.  
15 And without a responsible sick leave policy,  
16 we now have families sending sick children  
17 into schools which lack the means to take  
18 care of them in any way. When parents have  
19 no choice but to send their sick children to  
20 school, the health of other children in the  
21 building of teachers and childcare providers  
22 is also at risk. And with paid sick days,  
23 we know that parents can begin to take care  
24 of their children and for well child visits

1 to get them the immunizations. We won't see  
2 measles outbreaks and prevent some serious  
3 illnesses.

4 And what we also know is that we need to  
5 choose today between a policy without paid  
6 sick leave that insists that a family member  
7 and a parent has to choose between being  
8 able to feed their child or being able to  
9 care for them. That is not the role for  
10 this City to be doing. That -- actually,  
11 let me be clear about that. We want our  
12 City to be making sure that parents don't  
13 have to make such choices.

14 It's our responsibility that every  
15 worker has fair and safe working conditions.  
16 We must know that we have a major chance  
17 towards building a stronger and more  
18 sustainable economy where employers and  
19 employees share in both the responsibilities  
20 and the benefits of a prospering city. It's  
21 great to have a city full of restaurants and  
22 growing retail and hospitality sector, but  
23 trendy gastro pubs and shi-shi hotels depend  
24 on our workers and our neighbors, their

1 parents and our schools.

2 Let's have a Philadelphia take a step  
3 towards a moral future and pass the Paid  
4 Sick Leave Policy. Thank you.

5 COUNCILWOMAN TASCIO: Thank you.

6 Ms. Bellesorte.

7 MS. BELLESORTE: Hello, good afternoon.  
8 My name is Marianne Bellesorte.

9 COUNCILWOMAN TASCIO: And you are going  
10 to summarize your testimony?

11 MS. BELLESORTE: I certainly will,  
12 believe me. I am here representing PathWays  
13 PA. We are one of the foremost providers of  
14 residential and community-based services in  
15 the Greater Philadelphia region. I'm also  
16 here representing the Coalition for Healthy  
17 Families and Workplaces, which is made up of  
18 over 100 organizations supporting earned  
19 sick days. We worked very closely on this  
20 legislation. Finally, I'd like to say I'm  
21 also a member of the Mayor's Task Force on  
22 paid sick days and will echo some of what my  
23 co-members have said about having worked  
24 hard on the issue and on seeing this bill as

1 being a good compromise with what the Task  
2 Force recommended.

3 I actually today want to share very  
4 briefly a little bit of my own story on the  
5 need for earned sick days. Last April, as I  
6 was entering the third trimester of a  
7 healthy pregnancy, I was very suddenly  
8 diagnosed with Stage IV inflammatory breast  
9 cancer. My doctor, not surprisingly,  
10 recommended immediate action. In the course  
11 of a week, I ran through every test the  
12 hospital had to offer me.

13 I had surgery. I had my first  
14 chemotherapy treatment, and I had absolutely  
15 no time to think about work. And I'm  
16 pleased to say I had earned sick days, so I  
17 didn't have to think about it during that  
18 time. Without access to earned sick days, I  
19 would have put off the appointment that let  
20 led to my diagnosis. I know that I couldn't  
21 have afforded to take the time off for  
22 chemotherapy or surgery or radiation, and  
23 those were all things that I had to do.

24 And the need for earned sick days didn't

1 end with me. Paid time off meant that I  
2 never had chemotherapy without a family  
3 member by my side. I meant that I wasn't  
4 alone on the day when I actually felt my  
5 baby jump as the doctor said it's malignant.

6 It meant that when chemotherapy  
7 demolished my immune system to the point  
8 where I couldn't even be around fresh  
9 flowers, I didn't have to worry about my  
10 coworkers bringing illness to the office.  
11 But because we live in a society where paid  
12 sick days is not the norm, I did have things  
13 to worry about besides the obvious, of  
14 course.

15 I had to worry about the cashier at the  
16 grocery store coming in sick. I had to  
17 worry about the clerk at the drug store when  
18 I went to pick up my prescriptions. I had  
19 to worry about the servers at any restaurant  
20 I ate at. Not one of those people would  
21 have wanted to get me sick, but every one of  
22 them would have had to come in if they had  
23 no earned sick days because it was a choice  
24 between feeding their family or staying

1 home.

2 I'm very glad to sit here today and say  
3 that I am in complete remission. I have a  
4 happy --

5 (Applause)

6 Thank you. I have a very happy and  
7 healthy seven-month-old son at home, and I'm  
8 looking forward to seeing him at the end of  
9 the day. But I also have to say there are  
10 thousands of people in our City who are  
11 diagnosed with cancer who have to worry  
12 about everything I had to worry about.

13 There are so many more who are dealing  
14 with other illnesses, with disease and with  
15 trauma. Allowing these workers to earn sick  
16 days will change their lives for the better  
17 and will make our City a better place to  
18 live.

19 Thank you.

20 (Applause)

21 COUNCILWOMAN TASCO: We thank you so  
22 much for coming in to share your personal  
23 story. And thank you very much and we are  
24 glad you are well. We will be praying for

1       you.

2           MS. BELLESORTE: Thank you.

3           COUNCILWOMAN TASCO: Councilman  
4       Greenlee.

5           COUNCILMAN GREENLEE: Just very quickly.  
6       I just would remiss if I didn't put on the  
7       record the tremendous work that  
8       Ms. Bellesorte did on this bill from the  
9       very beginning. I don't know how many  
10      conversations we have had, meetings. Lately  
11      her son has been involved in them over the  
12      phone sometimes. I think sometimes I hear  
13      him say will you get this turkey off the  
14      phone so you can pay attention to me.

15           But it's -- she has been invaluable.  
16      There have been so many people involved in  
17      making this bill work. But hopefully, when  
18      we get this bill passed, I think  
19      unofficially should be named the Marianne  
20      Bellesorte Bill because she did so much.

21           Again, Marianne thank you for everything  
22      you've done. It's only about a week more,  
23      we're going to finish the job, okay. Thank  
24      you.

1 MS. BELLESORTE: Thank you.

2 COUNCILWOMAN TASCO: Is there anyone  
3 else here to testify?

4 (No further testimony.)

5 There being no further witnesses, I'd  
6 like to thank all of you who came today to  
7 support this bill. Those who came to  
8 express your concern about the bill, we will  
9 certainly move forward to pass this bill.  
10 And then as we observe the implementation,  
11 the Council is open to reviewing and making  
12 any adjustments on either side that will  
13 make it better for the employees and the  
14 business owners in the City of Philadelphia.

15 So, thank you very much. I adjourn the  
16 meeting, and we will -- the Public Hearing,  
17 and we will go into the Public Meeting.

18 - - -

19 (Public Hearing adjourns and Public  
20 Meeting commences.)

21 - - -

22 COUNCILWOMAN TASCO: I now call on --  
23 Councilmember is on her way down. She wants  
24 to be on record on voting. She'll be right

1 back. I do have the testimony of Ms. James  
2 Plumb. He's -- Dr. James Plumb. His  
3 testimony will be part of the record. If  
4 you want to see it, it will be in the  
5 Clerk's office with the bill.

6 While we are waiting for our  
7 Councilmember, we have some amendments that  
8 will be proposed by Councilman Greenlee.

9 COUNCILMAN GREENLEE: Thank you, Madam  
10 Chair. I just want to just state that those  
11 amendments were worked in conjunction with  
12 both the advocates and the Administration.

13 COUNCILWOMAN TASCO: We now call on  
14 Councilman Greenlee to move the bill -- move  
15 the amendments.

16 COUNCILMAN GREENLEE: Thank you, Madam  
17 Chair. I move the adoption of the  
18 amendments to Bill No. 141026.

19 COUNCILMAN NEILSON: Second.

20 COUNCILWOMAN TASCO: Has been moved and  
21 seconded that the amendments be adopted on  
22 Bill 141026.

23 All in favor?

24 - - -

1 (Chorus of Ayes)

2 - - -

3 COUNCILWOMAN TASC0: Is there any  
4 opposition? There being none, the  
5 amendments are adopted.

6 Call on Councilman Greenlee to vote to  
7 move the bill out of Committee.

8 COUNCILMAN GREENLEE: Gladly, Madam  
9 Chair. I move that Bill No. 141026 as  
10 amended be reported out of this committee  
11 with a favorable recommendation, and that  
12 the Rules of Council be suspended to allow  
13 for first reading at our next session of  
14 Council.

15 COUNCILMAN NEILSON: Second.

16 COUNCILWOMAN TASC0: It has been moved  
17 and seconded that Bill 141026 be moved out  
18 of Committee with a -- as amended be moved  
19 out of Council with a favorable  
20 recommendation, and that the Rules of  
21 Council be suspended so this bill will be  
22 heard at Council's next session.

23 All in favor will say aye.

24 - - -

1 (Chorus of Ayes)

2 - - -

3 COUNCILWOMAN TASC0: Is there any  
4 opposition?

5 There being none, the motion is passed.  
6 And we thank you all.

7 (Committee on Public Health and Human  
8 Services Public Meeting adjourned at 2:21  
9 p.m.)

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C E R T I F I C A T I O N

I, hereby certify that the proceedings and evidence noted are contained fully and accurately in the stenographic notes taken by me in the foregoing matter, and that this is a correct transcript of the same.

-----  
ANGELA M. KING, RPR  
Court Reporter - Notary Public

(The foregoing certification of this transcript does not apply to any reproduction of the same by any means, unless under the direct control and/or supervision of the certifying reporter.)

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City of Philadelphia Committee on Public Health and Human Services  
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STREHLOW & ASSOCIATES, INC.  
(215) 504-4622

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