



Maintain Earned Sick Days for All Morristown Workers

Proposed amendments create loophole that endangers workers' rights to sick days

Earned Sick Days Strengthen Our Families And Our Economy

Since January 2017, Morristown workers are able to use earned sick days to care for themselves or their loved ones when illness strikes without worrying about losing their paycheck or job. Everybody benefits from workers not having to choose between their family's financial stability and their family's health – working families have more money in their pockets to spend in the economy while co-workers and customers are not exposed to sick employees.

Proposed amendments to Morristown's earned sick day ordinance will result in the creation of an unnecessary carve out of workers which will threaten general public health as well as the financial stability of Morristown working families.

We urge you to reconsider the proposed changes because of the following:

The Current Ordinance Already Excludes Real Temp and Seasonal Workers

Under the current ordinance, an employee is only eligible to use paid sick time after 90 calendar days of employment. This effectively excludes *real* temp and seasonal employees, as they would not work in the town long enough to utilize earned sick time.

Proposed Amendments Incentivize Employee Misclassification

By adding vague definitions of "per diem," "temporary," and "seasonal" workers, and exempting them from earning sick days, the proposed amendments incentivize employers to misclassify their employees to avoid paying sick time. The proposed changes would place a burden on workers to demonstrate that they are not temporary or independent contractors, when the onus should be on employers, as per state and federal law.

Exempting Temp Agencies Promotes Low Road Employers

Temporary staffing agencies are among the most exploitive employers.¹ Exempting temp agency employees reduces the rights of a vulnerable workforce at a time when other municipalities, including New Brunswick, have worked to expand the right of earned sick time to temp agency employees.

State Earned Sick Law Coming Soon

Morristown's earned sick day ordinance was part of a comprehensive campaign aimed at winning a state bill. Governor-elect Phil Murphy has already pledged his support for paid sick days and is expected to move quickly to pass state legislation. Morristown's proposed amendments would undermine these efforts, giving low-road employers argument for bringing these exemptions to the impending state legislation.

¹Temped Out: Domestic Outsourcing Harms American Workers (National Employment Law Project)
<http://www.nelp.org/publication/temped-out-how-domestic-outsourcing-of-blue-collar-jobs-harms-americas-workers/>