

# Flexible leave gains support

Lawmakers near approval on bills benefiting workers

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Maryland lawmakers are nearing approval for legislation that would require employers to let workers use sick leave to care for a parent, child or spouse, and that would extend unemployment benefits to part-time workers.

The bills, which have passed in one or both legislative chambers, have gained support this year as workers are faced with a shaky job outlook. Proponents say the measures are necessary because part-time workers make up a growing portion of the work force and because dual-job households are increasingly struggling to care for children or aging parents.

"These bills are aimed at updating our laws so that they reflect the norms of our working world," said Jason Perkins-Cohen, executive director of the Job Opportunities Task Force, a Baltimore nonprofit group. "We have a lot of part-time workers in our economy now, and we're heavy into a recession so people lose jobs through no fault of their own."

But some business groups fear the changes would raise costs for employers at a time when they, too, have been hit by a crumbling economy. Small businesses and restaurants opposed the unemployment legislation, saying it would force employers to pay higher payroll taxes. Retailers weighed in against flexible leave, saying it would create problems for businesses that rely on a small number of employees.

"The government shouldn't be micromanaging the workplace," said Thomas S. Saquella, a lobbyist for the Maryland Retailers Association. "Most employers are able to handle these situations, and sometimes it's hard to legislate common sense."

The House of Delegates voted 91-45 yesterday to approve the flexible-leave bill. The Senate voted 30-17 last week to pass a different version that excludes employers with fewer than 15 workers and limits the leave benefit to occasions when the employee is caring for a child. For the bill to be enacted, the two chambers must hash out a compromise measure.

Last week, the Senate also narrowly approved the unemployment bill, 25-22, but only after the measure had failed on an earlier vote and was reconsidered at the request of its lead sponsor, Sen. Delores G. Kelley, a Baltimore County Democrat. The House Economic Matters Committee plans to hold a hearing on the bill today.

Gov. Martin O'Malley's administration backs both bills.

Bob Grupe, who e-mailed lawmakers to urge them to support the flexible-leave bill, said he and his wife have to juggle jobs, their health problems and the needs of elderly parents. Grupe, a 53-

year- old Rockville resident who is currently seeking employment, said he wants the security of knowing that he would be able to take sick leave for his wife or in-laws.

"There are a whole range of issues we are dealing with, and if employers were more flexible, that would be a big help," said Grupe, who recently had pacemaker surgery and whose wife has suffered from breast cancer.

Under the bill, a private-sector employer who provides paid leave must permit workers to use that time to care for an immediate family member who is sick. Several states have similar laws, including California, Maine, Minnesota and Washington.

Proponents said the bill would help working mothers. According to the Bureau of Labor Statistics, more than 75 percent of mothers with school-age children have jobs. Jill Wrigley of the Women's Law Center said that professional workers are often allowed flexibility but that is often not the case in lower-wage fields where turnover is high and there is less investment in each worker.

"This would be a major relief for a lot of ordinary people," she said. "If you've got a reasonable employer, you can get this anyway, so it's more for vulnerable workers who don't get this kind of protection."

Opponents argued that the legislation could have the unintended consequence of encouraging employers to eliminate paid sick leave. Del. Ron George, an Anne Arundel County Republican and a small-business owner, also warned that the bill's prohibition against disciplining employees for taking flexible leave could wind up shielding workers who take advantage of the measure.

"If we pass this bill, we might as well take the chalk out of our desk and put one more hash mark on the number of bills that prove Maryland is becoming increasingly anti-business," George said.

Under the unemployment bill, part-time workers who lose their jobs but are actively seeking part-time work would be eligible for benefits. More than 333,000 employees work part time in Maryland, or about 13 percent of the labor force, according to a legislative analysis.

Under current law, applicants must be actively seeking full-time work. Thirty other states allow unemployment benefits for part-time workers.

Carl Johnson, who submitted testimony to lawmakers, said he has not been able to find full-time work and relies on part-time jobs to support his family. But when he is out of work, the 22-year-old Baltimore native said, "this pushes my family further into poverty."

Opponents contend that the bill would stifle job creation and increase unemployment payouts by \$8.7 million in the next fiscal year.

Restaurateurs, in particular, said the bill would harm their businesses because so many of their employees work part time. Jackie Greenbaum, who owns Jackie's Restaurant in Silver Spring, said in an e-mail to lawmakers that her business has been hurt by the looming recession and that the extension of unemployment benefits "would have a further damaging effect."

"Sometimes when times are bad in the economy, you have to pull back," said Sen. Allan H. Kittleman, a Republican who represents Howard and Carroll counties. "We just can't afford it."

The issue split the business community. The Maryland Chamber of Commerce supports the bill, noting that 9-to-5 jobs are no longer the standard.

"We recognize that part-time workers have a stronger presence today than in the past and eligibility for unemployment insurance should accurately reflect the overall work force," said Will Burns, a spokesman for the chamber.

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