



Trust for America's Health
Statement for the Record
Committee on Education and Labor
Subcommittee on Workforce Protections Hearing

Healthy Families Act, H.R. 2460

I am Dr. Jeffrey Levi, Executive Director of Trust for America's Health (TFAH). TFAH is a non-profit, non-partisan organization dedicated to saving lives by protecting the health of every community and working to make disease prevention a national priority. Thank you for having this hearing on an important piece of legislation, the Healthy Families Act, which would guarantee most workers seven days of paid sick leave per year. TFAH believes that this legislation is a necessary public health tool to protect workers during public health emergencies such as an influenza pandemic. We thank Representative Rosa DeLauro and Senator Ted Kennedy for their leadership on this legislation.

The recent outbreak of the 2009 H1N1 influenza virus is an important wake up call for the nation, a clear reminder that influenza pandemics can happen -- that novel flu viruses do emerge and can threaten the nation's and the world's health. While so far not as virulent as some prior pandemic flu viruses, we are not yet out of the woods -- the virus has not finished playing out this season and there is a very real danger that it could return in a far more virulent form in the fall. In the meantime, scientists continue to be worried about the threat posed by the H5N1 (avian) flu virus.

In June, TFAH released a report, *Pandemic Flu Preparedness: Lessons from the Frontlines*, which detailed early lessons from the initial H1N1 outbreak and recommendations for preparing for a resurgence of the virus in the future. In our report, we cited numerous media reports of people with influenza-like illness continuing to go to work because they had no sick leave and feared losing their jobs, and some parents sent sick children to school because they could not stay home to care for them.¹ Just last week, a column in *The Salt Lake Tribune* stated that some employees of the Primary Children's Medical Center were reportedly going to work with flu-like symptoms because the hospital's sick leave policies could force them to take all of their paid sick days and some vacation time to stay home.²

Throughout the H1N1 outbreak, the Centers for Disease Control and Prevention (CDC) and state and local health departments warned Americans to stay home if they felt sick.

¹ Trust for America's Health. *Pandemic Flu Preparedness: Lessons from the Frontlines*. Washington, DC: Trust for America's Health, June, 2009. p. 4.

² Rolly, Paul. "Rolly: The Sick Treating the Sick?" *The Salt Lake Tribune*, June 12, 2009. http://www.sltrib.com/news/ci_12581592 (Accessed 6.18.09)

These kinds of “social distancing” measures are essential to contain and mitigate the effects of an infectious disease outbreak. The Healthy Families Act is an important step in ensuring workers can follow the guidance of public health officials and stay home if they are sick or must care for a family member who is ill. For many employees, taking unpaid sick time is simply not a financially viable option. Employers may threaten to terminate workers who stay home, and many who live paycheck to paycheck can not afford to miss work. Workers should not be penalized for protecting their families and the public’s health in general by avoiding contact with other people if they are sick.

TFAH is hopeful Congress will pass the Healthy Families Act quickly, as scientists fear the H1N1 virus may resurge in the fall in a more virulent form. Even with passage of this important legislation, however, we urge employers to be as flexible as possible during a flu pandemic. Sick leave policies should allow workers to fully comply with CDC guidance. Furthermore, Congress, the Office of Personnel Management, and Department of Labor should consider policies that expand worker protections during a severe infectious disease outbreak, including up to two weeks of paid sick time.

Thank you for the opportunity to comment on the Healthy Families Act. We appreciate the Committee’s work on this legislation and for your continued efforts to protect American workers.