

## Corporate Safe Harbor Talking Points

Members of Congress are working with corporate lobbyists to draft so-called “safe harbor” legislation for employers in order to gut state and local paid sick days laws. **They want to create a minimal and optional threshold of employer-provided paid time.** Companies that voluntarily meet that threshold would **no longer have to comply** with state or local paid sick days laws, undoing the will of the voters or their elected representatives. Problems include the following:

- 1) The goal is to **limit employer liability and deny workers the certainty** of paid sick days protections. Corporate safe harbor would effectively **overturn or gut paid sick days protections** that are now or will soon be in place in 7 states and 32 localities, with more wins on the horizon. These laws set common sense baseline standards. All the evidence shows they are beneficial for workers and their families, public health and the economy. The laws guarantee workers can earn paid sick time to recover from illnesses and seek preventive care without discipline or loss of pay. Most of these laws also guarantee paid safe time so survivors of domestic and sexual violence can seek help.
- 2) Creating a weak and optional threshold provides **no standard at all**. It would reinforce existing inequities and giant loopholes, where some workers would have legal protections while others have only voluntary policies. They could face a situation where the employer denies paid sick time when they need it, limits who they can use the time to care for or the kinds of care allowed, excludes those who work a certain number of hours, or assigns disciplinary points for using the time or for not asking for it in advance. Employees would also have **no way to hold employers accountable**.
- 3) Corporate safe harbor would be an **attack on democracy**. Cities, towns and counties are the level of government closest to the people with a long history of serving as laboratories of public innovation, spearheading public policies that lead to national minimum standards of protections. Neither state nor federal government should undermine the ability of voters or their elected representatives to pass laws that **expand, rather than limit, protections** for their communities.
- 4) This proposal is a safe harbor for corporations, but could be a **sinkhole for working people and their families**.
- 5) Multi-city and multi-state employers **already deal with different rules in different locations**, including zoning, minimum wage, business licenses and taxes, and have to keep paperwork for local authorities. The answer is not to avoid local laws but to **create a company standard that incorporates the most inclusive feature of each law**.
- 6) Corporate safe harbor would create a **dangerous new precedent**, where voluntary corporate actions offer immunity from compliance with laws. This is not the way that well-established minimum wage and hour, workplace safety or any other workplace standard operates. There’s no precedent in civil rights, environmental or other laws.
- 7) What the U.S. really needs is a federal paid sick days standard like the **Healthy Families Act**, setting a national baseline while allowing cities and states to do better.