

February 28, 2019

## **SB 15 Is a Step Backwards for Hard Working Texans.**

In the absence of state action, local jurisdictions across Texas have listened to the needs of their constituents and responded to calls to pass local ordinances that seek to raise standards for working families. Cities and municipalities have passed laws which improve economic security and public health such as paid sick leave requirements and fair chance hiring policies.

Too many hard-working Texas families are struggling to make ends meet, while income disparity and inequality continues to balloon. Average income has grown for the top fifth of households at 1.5 times the rate of the bottom fifth of households.<sup>i</sup> Current state law prohibits locally elected officials from ensuring businesses pay their employees a living wage by prohibiting a minimum wage above the federal minimum wage of \$7.25 per hour. Despite this, local officials continue to work to ensure citizens most likely to be impacted, such as women, racial and ethnic minorities, have a chance to provide for their families through other workplace protections.

### **SB 15 is an attack on local democracy.**

State officials should ensure basic protections for Texans across the state but allow locally elected officials to set higher standards as their communities see fit. A forthcoming by Baseline and Associates statewide poll of Texas voters conducted in February 2019 found the following:

- 87% of Texas voters believe their local elected officials are better connected to their communities and should be allowed to pass policies that reflect their community's needs and values.
- 83% agreed that local governments pass local ordinances that create strong local economies which contribute to a strong state economy.
- 82% of Texas voters were bothered that the state legislatures were passing laws that ban all local governments in their state from passing any policies that address economic issues, meaning that local communities are powerless to do anything to regulate business that might help their local economy or protect workers.
- More specifically, 74% favor allowing cities and counties to establish paid sick day requirements for local governments and for businesses.

This harmful legislation prohibits local jurisdictions from passing or enforcing any policy that offers minimum protections for employees. Here are just a few of the critical policies that would be prohibited under SB15:

Paid Sick Leave: 40% of working Texans lack access to Paid Sick Leave representing 4.3 million people.<sup>ii</sup> This means they must choose between staying home when they or a family member is sick or sacrificing their paycheck. For low wage earners across the state, studies have shown that missing 3.5 days of unpaid work equates to household's entire monthly grocery bill.<sup>iii</sup>

Paid sick leave policies are also critical to public health. For example, occupations like food preparation and serving are among those with the lowest rates of access to paid sick leave at 19%.<sup>iv</sup>

In a survey of Houston restaurant workers, 74% reported cooking or serving food while sick because they lacked access to paid sick leave.<sup>v</sup> [Learn more about paid sick days in Texas.](#)

Paid Family and Medical Leave: Nearly one in four pregnant women who are employed return to work within two weeks of giving birth, primarily because they cannot afford to go without pay.<sup>vi</sup> Federal law mandates that employees of large companies must be given at a minimum, unpaid, job-protected time to care for themselves, a new child, or a seriously ill child, spouse or parent. While this protection is important, it only covers approximately 60 percent of the population and most individuals are not financially able to take this time off unpaid. Paid Family and Medical Leave policies enable employees to take paid time off when these life events occur through a system of insurance programs paid for by both employees and employers.

Pay History Discrimination: Workers should be paid fairly for the work they are doing, rather than being paid based on a previous job's wage that may not be commensurate to the current job. Pay history discrimination policies prohibit employers from asking for wage history information from job seekers. These policies provide pathways for low wage workers to move into middle-wage jobs when their skill sets qualify them for the work.

The role of government is to protect citizens. Government upholds laws that protect citizens through prohibiting businesses from polluting our air and water sources as well as preventing the exploitation of workers. Without reasonable regulation of the employee/employer relationship, the individual interests of businesses would supersede the collective good of society.

Businesses contribute to a thriving Texas and most operate in several jurisdictions. They are routinely required to meet a variety of regulations established by local communities, including varying health code requirements as well as tax rates. Adhering to local regulations regarding the terms of employment is no different.

## **SB 15 fails Texans by ignoring the needs of hard working families who support our strong economy.**

Rather than banning local governments from ensuring their communities are more equitable and fair for hard working Texans, state leaders should be working to pass stronger statewide protections for Texans. These statewide protections should serve as a floor or set of minimum standard protections across the state. Local voters and elected officials should be allowed to expand those protections to reflect the needs and values of their communities.

*Thank you for the opportunity to testify. Any questions may be directed to Jonathan Lewis, Policy Analyst, CPPP; [lewis@cphp.org](mailto:lewis@cphp.org).*

For citations please visit: [bit.ly/SB15-CPPP](http://bit.ly/SB15-CPPP)

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