



Ellington Board of Education Lobbies for Improvements to Connecticut's Paid Sick Leave Law

Unintended Consequences of Law Include Concerning Student Supervisory and Safety Issues—Law in Effect January 1, 2025

The Ellington Board of Education recognizes the immense challenge legislators face in representing a diverse set of stakeholders with varied interests. We intentionally identify legislation that will benefit school districts in rural, suburban and urban communities. Ellington has been part of Connecticut's solution to these challenges demonstrating on an annual basis that ten Board Members of different political parties can work together to develop a legislative platform for the Connecticut General Assembly's consideration.

The Ellington Board of Education has unanimously approved this letter outlining its 2025 legislative priority. The Board directs its Superintendent of Schools, Dr. Scott Nicol, to work with Ellington's State Legislative Delegation (Senator Anwar—3rd District, Senator Kissel—7th District, Senator Gordon—35th District, Rep. Foster—57th District) or other state delegates to ensure the outlined concept be raised with the General Assembly's Labor and Public Employees Committee.

The Labor and Public Employees Committee is Co-Chaired by State Senator Kushner (24th District—Danbury, New Fairfield & Ridgefield) and State Representative Sanchez (24th District—New Britain).

Summarized Concerns & Recommended Improvements

Although the spirit of Connecticut's Paid Sick Leave Law is commendable, it fails to solve a problem for Connecticut's public school systems. Almost all school district employees receive reasonable paid sick leave. School districts that will be impacted the greatest will be the large urban districts.

No school district in Connecticut operates at full staff capacity on any given day—especially on Fridays and days attached to holidays or vacations. This law has unnecessarily exacerbated an already existing school phenomenon—chronic staff absenteeism—leaving educators, staff and children with likely sporadic and compromised student supervision leading to possibly unsafe conditions, in addition to students receiving a lack of high-quality instruction.

REMEDY— Legislatively modify the current Connecticut Paid Sick Leave Law by exempting all school employees or allow collective bargaining agreements to supersede the law.

Background

Since 2012, Connecticut General Statutes Sections 31-57r et seq. have required certain employers, including boards of education, to provide paid sick leave for their service workers. As originally enacted, most school district employees fell outside the statutory definition of "service worker."

In 2024, Connecticut’s paid sick leave law—**Public Act 24-8**—was significantly revised to go into effect on January 1, 2025. The revisions have significant ramifications and will now cover almost all Board of Education employees. In addition, some of the new requirements raise considerable legal and practical considerations and concerns, particularly given the existing obligations under other state laws, collective bargaining agreements, and the federal Family and Medical Leave Act (“FMLA”).

An Ongoing Trend—The current state law trumps any collective bargaining agreement that fails to meet the law’s requirements, including administrators, teachers, and paraeducators contracts. This general approach by the Connecticut General Assembly (*passing laws rendering contracts temporarily or permanently defunct*) undermines the good faith negotiations between boards of education and unionized employees.

However, the primary concern here is boards of education’s primary mission—**ensuring student safety with direct supervision**—coupled with consistent instruction resulting in student learning.

Overall, the school districts that will be impacted the greatest by Connecticut’s Paid Sick Leave Law will be our lowest performing urban districts—Hartford, Waterbury, Bridgeport, New Britain, amongst others.

No school district in Connecticut, especially the aforementioned, operates at full staff capacity on any given day—especially on Fridays and days attached to holidays or vacations. Each day educators must shift their primary duties due to staff absences in order to ‘*get through the school day*’. The cumulative result is overworked staff and underserved children with likely sporadic inadequate student supervision leading possibly to an unsafe environment.

Connecticut’s Paid Sick Leave Law fails to solve a problem for its public school systems with almost all school district employees having access to very reasonable paid sick leave. This law has unnecessarily exacerbated an already existing school phenomenon—chronic staff absenteeism—leaving educators, staff and children holding the short straw.

When school districts are unable to hire substitutes, it creates a significant burden that impacts students. It creates a disruption to the learning environment that can lead to inconsistent instruction, decreased student engagement, and increased stress for both students and teachers. Furthermore, the lack of consistent staffing can erode parental trust and lead to increased concerns regarding their child’s education.

<u>A SIMPLISTIC REMEDY</u> for Connecticut Public School Districts
<i>Exempt all school employees</i> OR <i>allow collective bargaining agreements to supersede the law</i>

Statutory Requirements and Impact

Accrual and Use in One-Hour Increments:

- **Requirement**
 - Employees accrue one hour of paid sick leave for every 30 hours worked, up to 40 hours per year, usable in one-hour increments.

- **Impact**
 - Previously, schools provided sick leave in larger increments (half-day or full-day), which facilitated better staff coverage. The new one-hour increments requirement will complicate this, especially with difficulties in securing substitutes.
 - The law's expansion to cover substitutes working over 120 days per year will increase absences, complicating coverage. School districts will need to hire substitutes for substitutes—which won't be available, at the last minute.

Advance Notice Cannot Be Required (*Even When Leave is Foreseeable or Taken Mid-Day*):

- **Requirement**
 - The new law prohibits schools from requiring advance notice for Statutory Paid Sick Leave, including when the need is foreseeable or for short, mid-day absences.
- **Impact**
 - This will lead to unpredictable absences, making it challenging for schools to plan for staffing and student supervision.
 - Multiple employees will take leave on the same day without prior notice, which will disrupt school operations, educational continuity and contribute to likely unsafe conditions for students.

Documentation to Support Use of Statutory Paid Sick Leave Is Prohibited (*Even for Consecutive Days*):

- **Requirement**
 - Prohibits boards of education from asking for documentation when employees use Statutory Paid Sick Leave, even for consecutive days or adjacent to holidays/vacations.
- **Impact**
 - This will lead to extended absences without verification, complicating school planning and potentially interfering with the board's ability to comply with other laws like the FMLA, which requires notification of leave eligibility.

Expanded Reasons for Leave, Including "A" Mental Health Wellness Day:

- **Requirement**
 - The new law allows Statutory Paid Sick Leave to be used for a wide range of reasons, including:
 - An employee's health issues or preventive care.
 - **A mental health wellness day** is defined as a day for attending to one's emotional and psychological well-being instead of working.
- **Impact**
 - This broad definition will lead to employees taking leave in short bursts or over extended periods for mental health, potentially disrupting school operations, particularly around holidays or vacations.

Sincerely,

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