Very recently, the Albany County Legislature proposed a new law that would require all private sector employers within the county to provide paid sick leave to all part- and full-time employees. This law would mandate that organizations with five or more employees must provide 40 hours of paid sick leave annually to their workers, and 72 hours if the organization has ten or more employees. This mandate would affect not only for-profit businesses, but nonprofit organizations as well.

NYCON and most nonprofit employers recognize the importance and value of paid sick leave as it pertains to employee well-being and productivity. The typical nonprofit workplace is guided by a strong set of values reflected in personnel policies and practices that supports the health and welfare of our employees to the extent that it is financially feasible. This supportive workplace environment helps offset the fact that the compensation offered to nonprofit employees is most often not competitive with the public and business sectors. In communities across the state, we see that far too many workers, many of whom would be considered working class earners, live in constant fear of losing their gainful employment because they don’t have the workplace opportunities needed to achieve a healthy work-life balance. When faced with the impossible decision to care for a sick child or ailing parent, or risk losing the very job that keeps a roof over their head and food on their table, workers without paid sick leave lose in the end, regardless of the decision they make. As representatives of the nonprofit sector, we believe policies that treat workers and their life circumstances with the respect and human decency that everyone deserves should be supported and celebrated. Because of this, NYCON believes in and concurs with the spirit of this proposed policy brought forth by the Albany County Legislature.

Nonprofits have bottom lines too! Employee compensation is 70-80% of a typical nonprofit’s budget. Nonprofits accomplish their missions by investing what resources they can into their workforce. Community-based nonprofits, like the small business community, are already grappling with increased minimum wage mandates, rising workers’ compensation costs, confusing family paid leave obligations, costs associated with changing exempt employee definitions, double digit health insurance premium costs, etc. Ironically, while various levels of government appear to be on a binge of enacting policies that drive up operating costs for nonprofits, they are at the same time putting the financial squeeze on nonprofits they contract with to do more and get the job done with less.

Let’s also look at the reality of nonprofits being an employer: If a nonprofit doesn’t have the money to pay for mandatory increases in labor costs, often because the funder (i.e. government) does not fully pay for what they get in return, the nonprofit will be forced to reallocate the resources from non-mandated labor expenses such as reducing the contributions toward health insurance or retirement, reduce paid vacation leave, cut back employee hours, or downright laying-off employees. If budgets allow, one can be confident that nonprofits are already providing paid sick leave to their workers. That, unfortunately, is becoming harder and harder to do.

Local government mandates are not the solution. There are 62 counties in our state. Imagine if every county developed their own specific mandates for what compensation or benefits nonprofit employers should or should not provide their employees. Now add to that what the taxpayer costs would be for these counties to monitor and enforce these mandates. Good intentions aside, Albany County is going down a very slippery slope that will likely exacerbate, not resolve, the issue at hand. We strongly believe that this is a matter needs to be addressed in a comprehensive manner by the State of New York, not to be handled on a county-by-county basis.

The vast majority of nonprofits, with mission-driven hearts, are already doing everything they can to care for and retain their dedicated and talented staff. The issue is too large, the ramifications are too great, and the conversations that need to occur are too important, to be handled within county lines. We are concerned about the effects quick-fire legislation like this could have on the nonprofit sector, and the variability this would cause across the state. We believe that more people need to be at the table to ensure that the needs of workers and their nonprofit employers are being heard, and that a resolution is found that best serves our communities.