

## TESTIMONY

In Support of

### **LD 993: An Act To Prevent the Spread of Infectious Disease in Schools**

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Before the Joint Standing Committee on Education and Cultural Affairs

**April 2<sup>nd</sup>, 2021**

Senator Rafferty, Representative Brennan and other members of the Education and Cultural Affairs Committee,

My name is John Kosinski, and I am here on behalf of the Maine Education Association (MEA) to testify in support of LD 993, An Act To Prevent the Spread of Infectious Disease in Schools.

In January, MEA President Grace Leavitt testified before a joint committee comprised of the Education and Cultural Affairs Committee and the Appropriation and Financial Affairs Committee and raised the concerns we were hearing from school employees, particularly hourly employees, about the need for paid leave provisions to make sure all employees were continuing to get paid during absences from school due to COVID. Staff and member leaders at the MEA began reporting concerns about educators in some districts whereby they were being required to use their own sick leave in cases where they may have been exposed to COVID while in school, or cases where the employees were forced to quarantine multiple times due to COVID exposure.

We understand Representative White is asking the Education Committee to consider referring this bill to the Labor and Housing Committee and we support this request entirely. While we fully recognize referring this bill to another committee will undoubtedly delay its potential passage, recent developments encourage us to pause to better understand the leave situation for school employees in our state.

Under Families First Coronavirus Relief Act (FFCRA) passed in March of 2020, all public and private employers with more than 500 employees were required to provide up to 80 hours of paid leave if an employee had COVID, COVID symptoms or they needed to quarantine due to exposure. (There was another provision providing 2/3rds of pay for childcare related issues due to COVID). Those provisions expired on Dec 30, 2020. All were required to provide the leave, but private sector employers received tax credits.

In December of 2020, Congress did not extend the public sector provisions for paid leave under FFCRA but did extend tax credits for private employers that offered leave for COVID, COVID symptoms, or quarantines due to exposure. And for private employers the paid leave provisions went from mandatory to optional for all private

sector employers. These provisions were extended until March 31, 2021. Again, only private employers were eligible for the tax credits, the program was optional and did not extend to public sector employees.

Earlier this month, Congress passed the American Rescue Plan. Under the American Rescue Plan, the paid leave tax credits were extended to public and private sector employers. The program remains optional, and participation is decided by the employer. Both public and private employers that opt in are eligible for tax credits. The tax credits will be in the form of credits on Medicare taxes. These optional leave provisions are in effect until Sept 30, 2021.

The MEA is working with staff and member leaders to better understand whether these new leave provisions under the American Rescue Plan solve the problem for school employees in our state. We are especially concerned about hourly employees who may have used all their leave or do not have sufficient leave to withstand an entire quarantine period. Hourly employees are not well paid for their services in the first place and while teachers can often remote work while in quarantine, the same is not always true for ed techs, bus drivers, and other hourly employees in our schools. Many new employees only receive 15 sick days for a school year, meaning they may only be able to cover one and a half quarantine periods and remain paid unless they have assistance from other paid leave programs.

While we work to better understand the new program, we support the notion of sending this bill to the Labor and Housing Committee. The Labor and Housing Committee already has several bills in its possession to address paid leave for employees.

Thank you in advance for your time and I will do my best to answer any questions you may have.