

COMPREHENSIVE CANCER CONTROL PLANS: MODEL LANGUAGE ON PAID SICK LEAVE

Overview

Paid sick leave is leave that allows workers to attend to their own short-term medical needs or the short-term medical needs of a family member or other qualifying individual.¹ Paid sick leave policies can enable workers and their families to receive health care services, including preventive cancer screening services. For most workers, there is no federal requirement that employers provide paid sick leave, but some states and localities do require employers within their jurisdiction to provide paid sick leave to their employees. In the absence of an applicable mandate, employers may still choose to provide workers with paid sick leave.

Comprehensive cancer control (CCC) plans can provide an avenue to inform the public about state and local paid sick leave requirements and to identify the benefits of providing paid sick leave to employees. Per the Centers for Disease Control and Prevention, CCC plans “identify how an organization or coalition addresses the burden of cancer in its geographic area. The plans are specific to each region and based on data collected about people living there. They take the strategies that have worked, either in that region or in a similar place, and make them into a blueprint for action.”² All 50 states, the District of Columbia, 6 US Pacific Island jurisdictions and Puerto Rico, and 8 tribes and tribal organizations have produced CCC plans.³ These plans are typically renewed every five years.

Many existing CCC plans do not highlight paid sick leave as a tool for increasing utilization of preventive cancer screening services. Additionally, many plans do not discuss state-specific paid sick leave requirements. When updating CCC plans, drafters can evaluate existing paid sick leave laws and consider adding language to reflect the value of paid sick leave for employees’ access to preventive cancer screening. While language should be tailored to match jurisdiction-specific realities, the model language in this document provides a helpful starting place for organizations that are evaluating and updating CCC plans. Because most existing CCC plans include short sections on strategies or action steps, the model language has been tailored to fit this format.⁴ However, a discussion of state paid sick leave mandates could also be added to a CCC plan as a stand-alone section.

Evaluating Existing Paid Sick Leave Requirements

The first step in drafting CCC plan language is evaluating the status of paid sick leave in your state. Many jurisdictions in the United States have enacted laws requiring employers to provide paid sick leave.⁵ Paid sick leave laws generally include four elements: (1) the types of employers and/or employees covered by the law; (2) leave accrual rates over time; (3) allowable uses for leave; and (4) if applicable, a cap on accrual or provisions related to allowable carryover of accrued leave. At both state and local levels, paid sick leave typically can be used to seek medical consultation or care for physical or mental illness, to care for an eligible individual who needs medical attention, or to respond to the impacts of domestic violence.

While you should consult with an attorney in your state for precise legal advice about the paid sick leave mandates within your jurisdiction, several online resources track paid sick leave mandates, offering a helpful place to start an evaluation of existing requirements.

For example, A Better Balance provides an [interactive database](#) that chronicles the status of paid sick leave laws and is frequently updated.

As a quick reference, Table 1 provides an overview of paid sick leave laws in each state and the District of Columbia as of March 2023. The first two columns list states with an active statewide mandate requiring paid sick leave. States without a statewide mandate requiring paid sick leave are listed in the third and fourth columns. States listed in the first and third columns permit local governments to enact paid sick leave requirements, while states in the second and fourth columns are affected by preemption. Preemptive provisions in state laws can dictate whether localities are allowed to enact their own paid sick leave laws and what those laws can include. States in the second column have statewide paid sick leave laws but prohibit local governments from enacting more robust paid sick leave policies. States in the fourth column do not have statewide paid sick leave laws and do not permit local governments to enact paid sick leave policies.

TABLE 1. PAID SICK LEAVE PREEMPTION STATUS, BY STATE⁶

States with a statewide paid sick leave law		States without a statewide paid sick leave law	
State allows more generous local laws	State prohibits more generous local laws	State allows local laws	State prohibits local laws
Arizona	Maine	Alaska	Alabama
California	Maryland	Delaware	Arkansas
Colorado	Michigan	Hawaii	Florida
Connecticut	New Jersey	Idaho	Georgia
Illinois ⁱ	Oregon	Minnesota	Indiana
Massachusetts	Rhode Island	Montana	Iowa
Nevada		Nebraska	Kansas
New Mexico		New Hampshire	Kentucky
New York		North Dakota	Louisiana
Vermont		Pennsylvania	Mississippi
Washington		South Dakota	Missouri
Washington, DC		Utah	North Carolina
		Virginia	Ohio
		West Virginia	Oklahoma
		Wyoming	South Carolina
			Tennessee
			Texas
			Wisconsin

i Effective on January 1, 2024

Model Language for CCC Plans

A CCC plan should describe the policy landscape of paid sick leave in the state by answering three key questions:

1. Does my state have a statewide paid sick leave mandate?
2. Are local governments in my state permitted to enact paid sick leave mandates?
3. Do any localities in my state have a paid sick leave mandate?

If it is feasible to gather information about local mandates within the state, that information should be included.

Studies suggest that both employer and employee awareness of paid sick leave mandates is low and that improved awareness may increase use of paid sick leave for preventive cancer screenings.⁷ Consequently, it is important to use CCC plans to empower employees to use their paid sick leave and to encourage employer compliance.⁸ Table 2 proposes model language that can be added to existing CCC plan sections on strategies or action steps and that can be tailored to fit individual state laws.

TABLE 2. MODEL LANGUAGE ON PAID SICK LEAVE FOR CCC PLANS

	States with a statewide paid sick leave law		States without a statewide paid sick leave law		
	State allows more generous local laws	State prohibits more generous local laws	State allows local laws (and has active local mandates for paid sick leave)	State allows local laws (and has no active local mandates for paid sick leave)	State prohibits local laws
Model language to describe the status of paid sick leave in a state	[State] has a statewide paid sick leave law that applies to many employers within the state and gives many employees the legal right to paid sick leave, which can be used for preventive cancer screenings. Employers can also choose to enact their own paid sick leave policies, which their employees can use to obtain preventive cancer screening. In addition, localities within the state are permitted to enact more generous paid sick leave laws.	[State] has a statewide paid sick leave law that applies to many employers within the state and gives many employees the legal right to paid sick leave, which can be used for preventive cancer screenings. In addition, employers can choose to enact their own paid sick leave policies, which their employees can use to obtain preventive cancer screening.	While [State] does not presently require paid sick leave, at the time of publication, [localities] have paid sick leave mandates that give many employees within that jurisdiction the legal right to paid sick leave, which can be used for preventive cancer screenings. In addition, employers can choose to enact their own paid sick leave policies, which their employees can use to obtain preventive cancer screening.	While [State] does not presently require employers to provide paid sick leave, localities are free to enact their own paid sick leave mandates. In addition, employers can choose to enact their own paid sick leave policies, which their employees can use to obtain preventive cancer screening.	While there are presently no statewide or local mandates for paid sick leave in [State], employers are free to enact their own paid sick leave policies, which their employees can use to obtain preventive cancer screening.
Model action items	Educate employers about the importance of providing paid leave for cancer screening and about the state's requirement to provide paid sick leave for employees.		Educate employers in [locality/localities with paid sick leave mandate] about the importance of providing paid leave for cancer screening and about [locality's] requirement to provide paid sick leave for employees.	Educate employers about the importance of providing paid leave for cancer screening.	
	Inform employees about their right to paid sick leave, and encourage them to use paid sick leave to attend to their medical needs, including preventive care appointments.				
General action items for employers, regardless of their state's paid sick leave requirements	Whether or not there is a paid sick leave mandate in place, educate employers about the benefits of offering paid sick leave to their employees, including preventive cancer screenings as an eligible use.				
	Introduce employee health education programs to increase employee awareness and use of preventive health services.				
	Educate employers about the benefits of allowing employees to use flextime options to attend medical appointments (when feasible).				
	Educate employers about the benefits of offering additional incentives for workers to attend preventive medical appointments – for example, monetary incentives or incentives tied to workplace wellness programs.				

If it is feasible to include a stand-alone section discussing the value of paid sick leave in your state comprehensive cancer control plan, you can use the following model language:

Increasing Access to Paid Sick Leave to Encourage Utilization of Preventive Cancer Screening Services

Paid sick leave allows workers paid time off to attend to their own short-term medical needs or the short-term medical needs of a family member or other qualifying individual.⁹ Research suggests that paid sick leave has a positive effect on worker health care outcomes generally.¹⁰ Importantly, research also suggests that workers with access to paid sick leave are more likely to receive preventive cancer screenings than workers who do not have access to paid sick leave.¹¹ However, access to paid sick leave varies widely across industry sectors, types of employers, and employer size. Women, workers earning low wages, non-union employees, and workers of color are less likely to have access to paid sick leave compared with men, workers earning high wages, union employees, and white workers.¹² Because preventive cancer screening services

are vital to addressing both individual and population-level impacts of cancer and cancer-related diseases, supporting worker access to paid sick leave is an important cancer control strategy, and access to paid sick leave is an important health equity issue.

For most workers, there is no applicable federal requirement that employers provide paid sick leave. However, some states and localities have paid sick leave laws. In the absence of an applicable mandate, employers may choose to provide workers with paid sick leave. Accordingly, businesses can be a powerful partner in promoting access to paid sick leave for workers. Expanding paid sick leave access for workers has proven to be economically beneficial to businesses while also improving the health and well-being of their employees.¹³ Examples of return on investment include savings on staffing and employee turnover, improvements in worker productivity, and increased market competitiveness.¹⁴ *[To complete this paragraph, pull language from Table 2 to describe the legal landscape for paid sick leave in your state. We encourage you to also incorporate the action items from Table 2 to finish this section.]*

Resources

If you would like to learn more about paid sick leave or the connection between paid sick leave and employee use of preventive cancer screening services, we encourage you to consult the following resources:

- ChangeLab Solutions, [Understanding Paid Sick Leave & Preventive Cancer Screening](#)
- Cancer Prevention in Action, [Paid Time Off resource page](#)
- National Breast and Cervical Cancer Early Detection Program, Centers for Disease Control and Prevention, [Establishing Workplace Policies](#)
- National Comprehensive Cancer Control Program, Centers for Disease Control and Prevention, [Schenectady County Workers Get More Recommended Cancer Screenings After Leave Expansion](#)
- Robert Wood Johnson Foundation, Culture of Health blog post: [Preemption Is Blocking Family-Support Policies That Our Nation Needs](#)
- Urban Institute, [Out Sick Without Pay: Missed Wages and Worker Absences During the COVID-19 Pandemic](#)
- Urban Institute, [Research on paid family, medical, and sick leave](#)

This publication was supported by the Centers for Disease Control and Prevention of the U.S. Department of Health and Human Services (HHS) as part of a financial assistance award totaling \$180,000 with 100 percent funded by CDC/HHS. The contents are those of the author(s) and do not necessarily represent the official views of, nor an endorsement, by CDC/HHS or the U.S. Government.

ChangeLab Solutions is a nonprofit organization that provides legal information on matters relating to public health. The legal information in this document does not constitute legal advice or legal representation. For legal advice, readers should consult a lawyer in their state.

Published March 2023.

Notes

- 1 *What's the Difference? Paid Sick Leave, FMLA, and Paid Family and Medical Leave*. Washington, DC: US Department of Labor; September 2016:1-2. [dol.gov/sites/dolgov/files/oasp/legacy/files/paidleavefinalrulecomparison.pdf](https://www.dol.gov/sites/dolgov/files/oasp/legacy/files/paidleavefinalrulecomparison.pdf).
- 2 National Comprehensive Cancer Control Program (NCCCP). Centers for Disease Control and Prevention website: [cdc.gov/cancer/ncccp/ccc_plans.htm](https://www.cdc.gov/cancer/ncccp/ccc_plans.htm). Updated July 30, 2021. Accessed October 7, 2022.
- 3 *Id.*
- 4 For example, as a part of Colorado's objective to "increase high quality, guideline adherent, cancer screening rates among priority populations," Colorado's CCC plan includes an action item to "educate employers on the importance of providing paid leave for cancer screenings (especially for hourly employees)." *2021–2025 Colorado Cancer Plan: The Roadmap to Reducing the Burden of Cancer in Colorado*. Denver, CO: Colorado Cancer Coalition; July 22, 2021:40. coloradocancercoalition.org/wp-content/uploads/2021/07/CancerPlan2021-2025Final7-23-21.pdf. Utah's current CCC plan includes the following as an "action step" – defined as an "example[] of specific policy, systems, and environmental (PSE) change initiatives that individuals and organizations can do to equitably implement the [state's cancer control] strategies": "Support initiatives that incentivize Utah workplaces to adopt paid sick and family leave policies." Utah Comprehensive Cancer Control Program and the Utah Cancer Action Network. *2021–2025 Utah Comprehensive Cancer Prevention and Control Plan*. 2021:10. ftp.cdc.gov/pub/Publications/Cancer/ccc/utah_ccc_plan-508.pdf.
- 5 For an up-to-date resource on paid sick leave mandates, consult Interactive overview of paid sick time laws in the United States. A Better Balance website: abetterbalance.org/paid-sick-time-laws. Accessed October 11, 2022.
- 6 Berger C. The right to call in sick isn't guaranteed across the U.S., but it may be in your state. *Fortune*. March 23, 2022. fortune.com/well/2022/03/23/which-states-allow-paid-sick-leave-law/; Map of paid sick time laws. A Better Balance website: abetterbalance.org/resources/map-of-paid-sick-time-laws. Updated January 4, 2022. Accessed April 8, 2022; Workers' rights preemption in the U.S.: a map of the campaign to suppress workers' rights in the states. Economic Policy Institute website: epi.org/preemption-map. Updated August 2019. Accessed April 8, 2022.
- 7 Romich JL. Local mandate improves equity of paid sick leave coverage: Seattle's experience. *BMC Public Health*. 2017;17(60):3. bmcpublikealth.biomedcentral.com/articles/10.1186/s12889-016-3925-9. Accessed April 7, 2022; Fine J, Galvin D, Round J, Shepherd H. *Maintaining Effective U.S. Labor Standards Enforcement Through the Coronavirus Recession*. Washington, DC: Washington Center for Equitable Growth; September 3, 2020. equitablegrowth.org/research-paper/maintaining-effective-u-s-labor-standards-enforcement-through-the-coronavirus-recession.
- 8 *Id.*
- 9 *What's the Difference? Paid Sick Leave, FMLA, and Paid Family and Medical Leave*. Washington, DC: US Department of Labor; September 2016:1-2. [dol.gov/sites/dolgov/files/oasp/legacy/files/paidleavefinalrulecomparison.pdf](https://www.dol.gov/sites/dolgov/files/oasp/legacy/files/paidleavefinalrulecomparison.pdf).
- 10 See, e.g., DeRigne L, Stoddard-Dare P, Collins C, Quinn L. Paid sick leave and preventive health care service use among U.S. working adults. *Prev Med*. 2017;99:58–62. doi:10.1016/j.ypmed.2017.01.020. Accessed April 7, 2022 (examining the relationship between having paid sick leave and obtaining eight preventive care services: (1) blood pressure check; (2) cholesterol check; (3) fasting blood sugar check; (4) having a flu shot; (5) having seen a doctor for a medical visit; (6) getting a Pap test; (7) getting a mammogram; (8) getting tested for colon cancer); Lamsal R, Napit K, Rosen AB, Wilson FA. Paid sick leave and healthcare utilization in adults: a systematic review and meta-analysis. *Am J Prev Med*. 2021;60(6):856–865. doi:10.1016/j.amepre.2021.01.009. Accessed April 7, 2022 (summarizing research).
- 11 See, e.g., Peipins LA, Soman A, Berkowitz Z, White MC. The lack of paid sick leave as a barrier to cancer screening and medical care-seeking: results from the National Health Interview Survey. *BMC Public Health*. 2012;12(520):1. bmcpublikealth.biomedcentral.com/articles/10.1186/1471-2458-12-520. Accessed April 7, 2022 (finding that "the percentage of workers who underwent mammography, Pap test, endoscopy at recommended intervals, had seen a doctor during the previous 12 months or had at least one visit to a health care provider during the previous 12 months was significantly higher among those with paid sick leave compared with those without sick leave after controlling for sociodemographic and health-care-related factors."); see also Wilson FA, Wang Y, Stimpson JP. The role of sick leave in increasing breast cancer screening among female employees in the U.S. *J Cancer Policy*. 2014;2(3):89. doi:10.1016/j.jcpo.2014.07.003. [sciencedirect.com/science/article/pii/S2213538314000198?via%3Dihub](https://www.sciencedirect.com/science/article/pii/S2213538314000198?via%3Dihub). Accessed April 7, 2022 (finding that employed women with paid sick leave were significantly more likely to have received a clinical breast exam or mammogram within the past 12 months, even after controlling for socioeconomic factors, insurance, and health status); DeRigne L, Stoddard-Dare P, Collins C, Quinn L. Paid sick leave and preventive health care service use among U.S. working adults. *Prev Med*. 2017;99:60. doi:10.1016/j.ypmed.2017.01.020. Accessed April 7, 2022 (finding that the relationship between the availability of paid sick leave and having had a colon cancer test or a mammogram in the previous 12 months was not statistically significant but that not having paid sick leave increased by 23% the odds that a worker did not have a Pap smear in the preceding 12 months).
- 12 DeSilver D. As coronavirus spreads, which U.S. workers have paid sick leave – and which don't? Pew Research Center website: [pewresearch.org/fact-tank/2020/03/12/as-coronavirus-spreads-which-u-s-workers-have-paid-sick-leave-and-which-dont/](https://www.pewresearch.org/fact-tank/2020/03/12/as-coronavirus-spreads-which-u-s-workers-have-paid-sick-leave-and-which-dont/). March 12, 2020; Bartel AP, Kim S, Nam J, Rossin-Slater M, Ruhm C, Waldfogel J. Racial and ethnic disparities in access to and use of paid family and medical leave: evidence from four nationally representative datasets. *Monthly Labor Review* (Bureau of Labor Statistics, US Department of Labor). January 2019. [bls.gov/opub/mlr/2019/article/racial-and-ethnic-disparities-in-access-to-and-use-of-paid-family-and-medical-leave.htm](https://www.bls.gov/opub/mlr/2019/article/racial-and-ethnic-disparities-in-access-to-and-use-of-paid-family-and-medical-leave.htm); Jones J, Schmitt J, Woo N. *Women, Working Families, and Unions*. Washington, DC: Center for Economic and Policy Research; June 2014:21. [cluw.org/My%20Docs/women-union-2014-06.pdf](https://www.cluw.org/My%20Docs/women-union-2014-06.pdf); Peipins LA, Soman A, Berkowitz Z, White MC. The lack of paid sick leave as a barrier to cancer screening and medical care-seeking: results from the National Health Interview Survey. *BMC Public Health*. 2012;12(520). bmcpublikealth.biomedcentral.com/articles/10.1186/1471-2458-12-520. Accessed April 7, 2022.
- 13 National Partnership for Women & Families, *Paid Sick Days Are Good for Business*. October 2020. nationalpartnership.org/our-work/resources/economic-justice/paid-sick-days/paid-sick-days-good-for-business-and-workers.pdf; Business case for safety and health. Occupational Safety and Health Administration, US Department of Labor website: [osha.gov/businesscase](https://www.osha.gov/businesscase). Accessed October 21, 2002; Bureau of Labor Statistics, US Department of Labor. Paid sick leave in the United States. *Program Perspectives*. 2010;2(2). <https://www.bls.gov/opub/btn/archive/program-perspectives-on-paid-sick-leave.pdf>.
- 14 *Id.*