

Valuing Families at Work: The Case for Paid Sick Leave

by Gerry Bradley, MA
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Paid sick leave is critical for families for health care and economic reasons. Parents should not be forced to choose between caring for themselves or family members and their jobs. The lack of paid sick leave adds stress to families, exposes co-workers unnecessarily, and risks the spread of infectious diseases to children in schools and child care centers. As with other employee-provided benefits, such as health insurance and paid vacation, paid sick leave tends to be less available in lower-wage jobs.

Therefore, those who can least afford to lose any of their income are the most likely to have to choose between working and taking time to care for themselves or a child when they are sick. This intersection of low-wage work and the lack of benefits like paid sick leave helps keep the working poor from climbing out of their situation.

Guaranteeing all workers at least one week of paid sick leave would do much to help low-income working families and their children. In New Mexico, however, only half of private-sector workers have access to paid sick leave. This is the worst rate in the nation.¹ New Mexico, with its high percentage of low-wage jobs and a correspondingly high rate of working families who are low-income, would have much to gain from enacting paid leave legislation.

The lack of paid leave is a national problem. On January 20, 2015, in the State of the Union address,

President Obama highlighted the need for paid sick leave in the United States:

“...today, we are the only advanced country on Earth that doesn’t guarantee paid sick leave or paid maternity leave to our workers. Forty-three million workers have no paid sick leave—43 million. Think about that. And that forces too many parents to make the gut-wrenching choice between a paycheck and a sick child at home. So I’ll be taking new action to help states adopt paid leave laws on their own.”

The President then called on Congress to send him legislation that would ensure that all workers could earn at least seven days of paid sick leave, saying “it’s the right thing to do.” While there has been no similar call to action at the state level in New Mexico, the Legislature did pass a memorial in 2015 requesting that the Bureau of Business and Economic Research at the University of New Mexico convene a working group to develop recommendations for the establishment of a publicly managed parenting workers’ leave fund. That same year, a broad coalition of grassroots organizing groups, advocates, and labor began pushing the

Albuquerque City Council to enact a Fair Work Week ordinance that would ensure all employees would earn one hour of sick leave for every 30 hours worked, among other things. The Albuquerque City Council did not pass it, but it is expected to be introduced again.

There is a substantial body of evidence that supports President Obama’s belief that granting paid sick leave is “the right thing to do.” Paid sick days bring multiple benefits to employers, workers, families, and communities at large.² The economic and public-health benefits of paid sick leave coverage are substantial, including safer work environments,³ reduced spread of contagion,⁴ and reduced health care costs.⁵

Health care costs are reduced because paid sick leave encourages a more rational use of health resources. In a 2011 report, the Institute for Women’s Policy Research found that:

- Paid sick days are associated with better self-reported general health among workers;
- Workers with paid sick days are less likely to delay medical care for themselves or for family members;
- Access to paid sick days is associated with lower usage of hospital emergency departments, a finding that holds true for those workers and families with private health insurance, those with public health insurance (e.g. Medicaid or CHIP), and those with no insurance.⁶

The Institute for Women’s Policy Research, which puts the estimate of American workers without paid sick leave between 43 million and 48 million, writes that such workers, “...often have to risk their jobs or pay when inevitable short-term health and care-giving needs arise.”⁷

International Comparison

As the President indicated, the U.S. does not compare well with other advanced nations regarding guaranteed paid sick leave. In 2009, the Center for Economic and Policy Research (CEPR) issued a report called *Contagion Nation: A Comparison of Paid Sick Day Policies in 22 Countries*. The report notes that the U.S. is the only nation ranked highly in terms of economic and human development that does

not guarantee paid sick leave for all workers. The U.S. also has no federal laws protecting workers from being fired if they do miss work due to illness.

The CEPR report compares national policies for two illness scenarios: a case of flu that requires five days off work for recovery and a cancer treatment that requires missing 50 days of work. The report defines the time necessary for recovery from the flu as *paid sick days* and the time off for cancer treatment as *paid sick leave*. The U.S. is not the only country with no national policy for paid sick days—Canada and Japan join us in that distinction. While Canada has no national policy for paid sick days, most of its provinces require employers to provide some paid days off during short-term illnesses. Figure I (page 3) summarizes the findings on the 22 countries.

The U.S., however, stands alone as the only country not providing paid sick leave for a long-term illness such as a 50-day cancer treatment. Several nations provide full pay for the 50 working days missed, while others provide less.

There are two ways that governments can approach guaranteeing sick leave to workers. The first method is to mandate that employers provide sick leave to workers. The second method is to include sick days or sick pay in a social insurance system. An employer mandate for sick days is more common in the case of the time needed to recover from a case of flu, while a 50-day cancer treatment is more commonly covered by a country’s social insurance system. Figure I shows which countries use employer mandates and which countries use the social insurance system model. It also shows what, if any, requirements must be met before employees are eligible.



FIGURE I
Main Features of National Paid Sick Day and Paid Sick Leave System in 22 High HDI Countries

Country	FTE days of paid sick days (5-day flu)	FTE days of paid leave (50-day cancer)	Sources of Payment		Minimum Job Tenure Requirement	
			Paid sick days (5-day flu)	Paid sick leave (50-day cancer)	Paid sick days (5-day flu)	Paid sick leave (50-day cancer)
Australia	5	10	E	E	None	None
Austria	5	45	E	E & SI	None	None
Belgium	5	39	E (white collar)	E & SI	None	120 hours in 6 months immediately prior to illness (SI)
Canada	0	22	None	SI	N/A	600 hours work in last 52 weeks or since last claim
Denmark	5	36	E private sector SI if not E	E & SI	72 hours over 8 weeks of service (private sector)	120 hours in 13 weeks immediately prior to illness
Finland	5	47	E	E & SI	1 month	1 month
France	1	24	SI	SI	800 hours in preceding 12 months	800 hours in preceding 12 months
Germany	5	44	E	E & SI	4 weeks of service	
Greece	3.5	29	E-SI (50-50)	E & SI	1 year of service	1 year of service
Iceland	5	17	E	E & SI	1 month	1 month E; 2 months SI
Ireland	0.7	17	SI	SI	104 weeks of insurance contributions	104 weeks of insurance contributions
Italy	1	29	SI	SI	None	None
Japan	0	28	None	SI	N/A	2 months of service
Luxembourg	5	50	E (SI refunds 80%)	E (SI refunds 80%)	None	None
Netherlands	3.5	35	E	E	None	None
New Zealand	5	5	E	E	6 months of service	6 months of service
Norway	5	50	E	E & SI	4 weeks of service	4 weeks of service
Spain	1.2	33	E (SI refunds)	SI	None	None
Sweden	3.2	38	E	SI	1 month or 14 consecutive days before illness	1 month or 14 consecutive days before illness
Switzerland	5	15	E	E	3 months of service	3 months of service
U.K.	0.4	10	E	E	None	None
U.S.	0	0	None	None	N/A	N/A

Note: "E" refers to employer provided sick leave; "SI" refers to social insurance.

Source: *Contagion Nation: A Comparison of Paid Sick Day Policies in 22 Countries*, Center for Economic and Policy Research, May 2009
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Paid Sick Leave: The National Picture

The fact that the United States does not have national legislation requiring sick leave through an employer mandate or a social insurance system does not mean that no sick leave is offered by employers in the U.S. The outcome of availability of paid sick leave in the U.S. is the result of agreements between employers and workers at the individual employer level. Not surprisingly, then, paid sick leave is more common in high-wage and union jobs, as are other employment benefits such as health insurance and paid vacation time. The National Compensation Survey (NCS) of the U.S. Bureau of Labor Statistics provides a broad description of the availability of sick days in the U.S. (see Figure II, below).

As one would expect, a far lower share of employees receive paid sick leave in industries where most of the jobs do not require a college education—such as goods-producing industries (factories and food processing plants) and in service-producing industries (retail, food service and hospitality). It should be a national concern that so many of the workers who handle our nation’s

“Paid sick days bring multiple benefits to employers, workers, families, and communities at large.”



food supply do not have access to paid sick leave. By far the highest share of employees with paid sick leave work in government. This is, in part, because many of those are union jobs and jobs that require post-secondary education.

The availability of paid sick leave also varies widely by the size of employer, as shown in Figure III (below). The pattern is clear: larger employers are much more likely to offer paid sick leave to their workers. In addition, a far higher percentage of public-sector workers than private sector have access to paid sick leave, irrespective of size.

FIGURE III
Employees with Paid Sick Leave by Size of Employer

Number of Employees	Percent with Paid Sick Leave		
	Civilian	Private industry	State/Local Government
Up to 99 Workers	53%	52%	80%
1 to 49 Workers	50%	49%	72%
50 to 99 Workers	60%	58%	91%
100 Workers or More	77%	72%	91%
100 to 499 Workers	70%	67%	88%
500 workers or More	84%	80%	92%

Source: *Employee Benefits in the United States*, US Bureau of Labor Statistics, March 2015
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FIGURE II
Employees with Paid Sick Leave by Industry

Type of Industry	Percent with Paid Sick Leave		
	Civilian	Private Industry	State/Local Government
Goods Producing Industries	59%	58%	
Service-producing Industries	66%	62%	90%
Education & Health Services	79%	72%	90%
Educational Services	86%		90%
Elementary & Secondary Schools	89%	73%	91%
Junior Colleges, Colleges and Universities	86%	80%	89%
Health Care and Social Services	74%	72%	88%
Hospitals	86%		92%
Public Administration	89%		89%

Source: *Employee Benefits in the United States*, US Bureau of Labor Statistics, March 2015
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Paid Sick Leave: Race and Ethnicity and Hours Worked

Paid sick days bring multiple benefits to employers, workers, families, and communities at large. The economic and public health benefits of paid sick leave coverage are substantial, including safer work environments, reduced spread of contagion, and reduced health care costs. Access to this important benefit, however, is still too rare, and is unequally distributed across the U.S. population, with substantial differences by race and ethnicity, occupation, earnings levels and work schedules. Differences are also apparent when looking at worker demographics, such as race/ethnicity and gender (see Figure IV, below). Whites have more access to paid sick leave than Hispanics or Blacks, but less than Asians. The availability of paid sick leave also varies with hours worked, with full-time workers much more likely to have paid sick leave than part-time (see Figure V, below). This is due to the fact that many employers offering paid sick leave require that employees work a minimum number of hours in order to qualify for it. Also, those working part time are often in low-wage jobs.

FIGURE IV
Employees with Paid Sick Leave by Gender and Race/Ethnicity

Population Group	Percent with Paid Sick Leave		
	Men	Women	Total
Total	60.0%	62.0%	61.0%
Hispanic	47.0%	51.0%	49.0%
Other not Hispanic	50.0%	62.0%	56.0%
Black, not Hispanic	59.0%	60.0%	60.0%
White, not Hispanic	63.0%	65.0%	64.0%
Asian, not Hispanic	75.0%	65.0%	70.0%

Source: Institute for Women's Policy Research
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FIGURE V
Employees with Paid Sick Leave by Hours Worked

Hours Worked	Percent with Paid Sick Leave
Fewer than 20	19%
20 to 34 Hours	29%
35 or More Hours	70%

Source: Institute for Women's Policy Research
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Paid Sick Leave in the States and Cities

There is also variation in the availability of access to sick leave among the four regions of the United States, as shown in Figure VI (below). The differences by geographic are not as compelling as differences by industry or hours worked, although it is clear that state and local government employees are far more likely to have paid sick leave benefits, irrespective of geographic location. Overall, workers in the New England and Middle Atlantic areas fare the best.

FIGURE VI
Employees with Paid Sick Leave by Region

Geographic Area	Percent with Paid Sick Leave		
	Civilian	Private industry	State/Local Government
Northeast	69%	66%	90%
New England	66%	62%	89%
Middle Atlantic	71%	67%	91%
South	66%	61%	91%
South Atlantic	67%	62%	92%
East South Central	65%	58%	91%
West South Central	64%	60%	88%
Midwest	62%	58%	87%
East North Central	61%	57%	86%
West North Central	65%	61%	90%
West	64%	60%	89%
Mountain	60%	57%	83%
Pacific	66%	61%	92%

Source: *Employee Benefits in the United States*, US Bureau of Labor Statistics, March 2015
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With almost 50 percent of workers without paid sick leave, New Mexico has the highest percentage of workers lacking paid sick days in the United States. Analysis of 2012-2013 data conducted by the Institute for Women’s Policy Research finds that across the country the percentage of workers without paid sick days varies widely from a high of 49.7 percent in New Mexico to a low of 38.9 percent in New Hampshire (see Figure VII, at right). The main reason for New Mexico’s lack of paid sick leave is the high concentration of workers in low-wage employment sectors such as retail trade and hospitality services.

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FIGURE VII
Estimated Private-Sector Workers without Paid Sick Leave in States without Paid Sick Leave Laws (2013)

State	Number of Private-Sector Workers	Private-Sector Workers without Paid Sick Leave	
		Number	Percent
Alabama	1,503,549	671,099	44.6%
Alaska	244,138	106,353	43.6%
Arizona	2,077,220	934,133	45.0%
Arkansas	916,768	418,651	45.7%
Colorado	1,914,437	816,067	42.6%
Delaware	327,711	131,128	40.0%
Florida	6,395,740	3,009,437	47.1%
Georgia	3,246,180	1,433,384	44.2%
Hawaii	441,024	184,237	41.8%
Idaho	507,812	250,438	49.3%
Illinois	4,789,945	2,113,696	44.1%
Indiana	2,398,299	1,132,923	47.2%
Iowa	1,171,885	531,389	45.3%
Kansas	1,030,452	471,717	45.8%
Kentucky	1,425,227	642,164	45.1%
Louisiana	1,499,955	676,281	45.1%
Maine	468,832	198,391	42.3%
Maryland	2,073,631	811,254	39.1%
Michigan	3,458,223	1,612,270	46.6%
Minnesota	2,189,756	947,077	43.3%
Mississippi	873,230	409,904	46.9%
Missouri	2,181,522	1,002,116	45.9%
Montana	312,538	153,008	49.0%
Nebraska	720,466	333,851	46.3%
Nevada	996,378	487,869	49.0%
New Hampshire	519,667	202,223	38.9%
New Mexico	576,382	286,309	49.7%
North Carolina	3,275,755	1,462,772	44.7%
North Dakota	276,645	126,678	45.8%
Ohio	4,235,473	1,943,546	45.9%
Oklahoma	1,263,664	561,360	44.4%
Rhode Island	407,412	169,195	41.5%
South Carolina	1,548,236	719,706	46.5%
South Dakota	300,961	144,906	48.1%
Tennessee	2,189,272	979,907	44.8%
Texas	9,166,597	4,117,023	44.9%
Utah	980,071	445,582	45.5%
Vermont	223,887	90,830	40.6%
Virginia	2,831,315	1,171,183	41.4%
West Virginia	552,116	254,270	46.1%
Wisconsin	2,245,436	1,022,089	45.5%
Wyoming	189,327	82,510	43.6%

Source: Institute for Women’s Policy Research
 (based on IWPR Modeling)
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A growing number of cities and states have adopted laws that give workers the right to earn paid sick days (see Figure VIII, at right). Paid sick days laws are in place in California, Connecticut, and Massachusetts, the District of Columbia, and in 17 cities across the country.

Paid sick legislation passed in other states provides that workers may not be disciplined, fired or retaliated against for using sick leave. Commonly, workers earn one hour of sick leave for every 30 hours worked with a cap on the number of hours or days that may be earned. Some legislation permits the carryover of unused sick leave each year, also with a cap on the number of hours that may be accrued. It is also common for workers in smaller industries to earn paid sick days at lower rates such as one hour per 40 hours worked or to have lower caps on the number of days or hours that may be accrued. The most worker-friendly laws also allow the leave to be used to care for a sick family member, although these are less common than laws that restrict usage to the workers' needs.



FIGURE VIII
States and Cities with Paid Sick Leave Laws (as of 2015)

Location	Date
San Francisco, California	February 2007
District of Columbia	May 13, 2008
Connecticut	January 2014
Seattle, Washington	September 2012
Portland, Oregon	January 2014
Jersey City, New Jersey	January 2014
New York City, New York	April 2014
Newark, New Jersey	May 2014
Passaic, New Jersey	January 2015
East Orange, New Jersey	January 2015
Paterson, New Jersey	January 2015
Irvington, New Jersey	January 2015
Oakland, California	March 2015
Montclair, New Jersey	March 2015
Trenton, New Jersey	March 2015
Philadelphia, Pennsylvania	May 2015
Bloomfield, New Jersey	June 2015
Eugene, Oregon	July 2015
Massachusetts	July 2015
California	July 2015
Tacoma, Washington	February 2016

Source: Institute for Women's Policy Research
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An Estimate of the Cost of Providing a Week of Paid Sick Leave

Since barely half of workers in New Mexico have paid sick leave benefits, the cost of mandating such a program is not insignificant. Some of this cost could be offset by productivity enhancements and reduced employee turnover as workers feel less of a need to change jobs. Using data published by the U.S. Bureau of Labor Statistics it is possible to estimate how much a paid sick leave law might cost. New Mexico private-sector wages and employment for 2014 based on major industry classification are given in the first two columns in Figure IX, (at right). The total wages for one week—\$478 million—are a good proxy for the annual cost of providing one week of sick leave in New Mexico. Since approximately half of all private-sector employees in New Mexico already receive paid sick leave, the annual cost of providing one week of paid leave to those who do not currently have it would be \$239 million.

FIGURE IX
Estimated Total New Mexico Weekly Wages (2014)

NAICS Sector	Average Weekly Wages	Average Number of Employees	Total Wages for One Week
Mining	\$1,479	27,779	\$41,085,141
Utilities	\$1,468	4,415	\$6,481,220
Construction	\$822	42,618	\$35,031,996
Manufacturing	\$1,084	27,951	\$30,298,884
Wholesale Trade	\$996	21,617	\$21,530,532
Retail Trade	\$518	92,502	\$47,916,036
Transportation	\$879	17,710	\$15,567,090
Information	\$927	12,517	\$11,603,259
Finance, Insurance	\$1,113	21,588	\$24,027,444
Real Estate, Rental	\$706	10,013	\$7,069,178
Professional Services	\$1,423	52,603	\$74,854,069
Management of Companies	\$1,293	5,046	\$6,524,478
Administrative Services	\$643	41,433	\$26,641,419
Educational Services	\$669	9,225	\$6,171,525
Health Care, Social Assistance	\$759	108,138	\$82,076,742
Arts, Entertainment, Recreation	\$401	8,866	\$3,555,266
Accommodation/Food Services	\$314	81,959	\$25,735,126
Other Services (not public)	\$581	20,406	\$11,855,886
Unclassified	\$736	2	\$1,472
Total	\$788	606,388	\$478,026,763

Source: US Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 2014 Annual Averages. Additional calculations by NM Voices for Children
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Another way to look at the cost of providing paid sick leave is to look at it as a share of a state's gross domestic product, or GDP. Each state's GDP, which is the value of the output of goods and services produced in a state, is estimated by the U.S. Bureau of Economic Analysis (BEA). The New Mexico GDP for the private sector was \$69 billion in 2014. Therefore, the cost to the New Mexico private sector of providing one week of sick leave would be \$69 billion divided by 239 million or 0.34 percent of private sector GDP (see Figure X, below). This is a cost that employers could and should easily bear, and state lawmakers should require them to do so.

Conclusion

In his January 2015 State of the Union address President Obama called for the implementation of paid sick leave on a national basis so that parents are not forced to choose between earning pay and caring for a sick child. That

same year the New Mexico state Legislature enacted a memorial to study the feasibility of a publicly managed parenting workers' leave fund and a coalition pushed the Albuquerque City Council to consider a Fair Work Week initiative.

Several reports have drawn attention to the public health benefits of providing paid sick leave. The lack of paid sick leave results in workers neglecting primary care, which results in more expensive and inappropriate care in hospital emergency departments when the condition becomes acute.

Paid sick days bring multiple benefits to employers, workers, families, and communities at large. The economic and public health benefits of paid sick leave coverage are substantial, including safer work environments, reduced spread of contagion, and reduced health care costs. Access to this important benefit, however, is still too rare, and is unequally distributed across the U.S.

population, with substantial differences by race and ethnicity, occupation, earnings levels and work schedules.

Because there is no national policy on paid sick leave, states vary widely on what percentage of workers have paid sick leave available. However, an increasing number of cities and states are mandating that employers provide paid sick leave. New Mexico is the state with the lowest percentage of workers with paid sick leave—about 50 percent. The lack of paid sick leave adds stress to families, exposes co-workers unnecessarily, and risks the spread of infectious diseases to children in schools and child care centers. It also exacerbates the economic troubles for low-income families and makes it harder for them to raise themselves and their children out of poverty.

The annual cost of providing one week of paid sick leave would be approximately \$240 million or 0.35 percent of the state's gross

FIGURE X
Estimated Total New Mexico Weekly Wages as a Percentage of State Gross Domestic Product (2014)

NAICS Sector	Private-Sector Nonfarm GDP	Total Wages for One Week	Percentage of NM GDP
Mining	\$9,259,000,000	\$41,085,141	0.44%
Utilities	\$1,343,000,000	\$6,481,220	0.48%
Construction	\$3,563,000,000	\$35,031,996	0.98%
Manufacturing	\$5,579,000,000	\$30,298,884	0.54%
Wholesale Trade	\$3,000,000,000	\$21,530,532	0.72%
Retail Trade	\$5,510,000,000	\$47,916,036	0.87%
Transportation	\$2,545,000,000	\$15,567,090	0.61%
Information	\$2,403,000,000	\$11,603,259	0.48%
Finance, Insurance	\$2,704,000,000	\$24,027,444	0.89%
Real Estate, Rental	\$12,017,000,000	\$7,069,178	0.06%
Professional Services	\$6,090,000,000	\$74,854,069	1.23%
Management of Companies	\$509,000,000	6,524,478	1.28%
Administrative Services	\$2,359,000,000	\$26,641,419	1.13%
Educational Services	\$509,000,000	\$6,171,419	1.21%
Health Care, Social Assistance	\$6,371,000,000	\$82,076,742	1.29%
Arts, Entertainment, Recreation	\$526,000,000	\$3,555,266	0.68%
Accommodation/Food Services	\$2,653,000,000	\$25,735,126	0.97%
Other Services (not public)	\$2,026,000,000	\$11,855,886	0.59%
Total	\$68,966,000,000	\$478,025,185	0.69%

Sources: US Bureau of Economic Analysis (private-sector nonfarm GDP); US Bureau of Labor Statistics, Quarterly Census of Employment and Wages, 2014 Annual Averages (total wages)
Additional calculations by NM Voices for Children
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domestic product. This is a cost that employers should and could easily bear. There is obviously much room for New Mexico to do better in providing this important employment support to its workers—a support that would go a long ways to improving the well-being of the state’s families and children.

Endnotes

1. *Workers Access to Paid Sick Days in the States*, Institute for Women’s Policy Research (IWRP), Washington, DC
2. *Valuing Good Health in Newark*, Publication No. B324, IWPR, Washington, DC
3. *No Time to be Sick: Why Everyone Suffers When Workers Don’t Have Paid Sick Leave*, Publication B242, IWRP, Washington, DC
4. “Health, Absence, Disability, and Presenteeism Cost Estimates of Certain Physical and Mental Health Conditions Affecting US Employers,” *Journal of Occupational and Environmental Medicine*, 46 398-412
5. *Paid Sick Days and Health: Cost Savings from Reduced Emergency Department Visits*, Publication B301, IWRP, Washington, DC
6. Ibid
7. *Workers Access to Paid Sick Days in the States*, IWRP

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Dr. Veronica C. Garcia, Ed.D., *Executive Director* • James Aranda, *Bernalillo County Place Matters Team Coordinator* • Lori Bachman, MA, *Director of Organizational Planning, Quality Assurance, and Fund Development* • Gerry Bradley, MA, *Senior Researcher and Policy Analyst* • Stephanie Brinker, Ph.D., *Volunteer* • Armelle Casau, Ph.D., *Policy and Research Analyst* • Cathy Cavin, *Fund Development Support* • Matthew Cross-Guillen, *Bernalillo County Place Matters Community Outreach and Education Coordinator* • James Jimenez, MPA, *Director of Policy, Research, and Advocacy Integration* • Bill Jordan, MA, *Senior Policy Adviser/ Governmental Affairs* • Sharon Kayne, *Communications Director* • Brian Urban, *Fund Development, Outreach, and Membership Coordinator* • Amber Wallin, MPA, *KIDS COUNT Director*

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