

United States Senate

March 26, 2020

Chris Kempczinski
President and CEO
McDonald's
110 North Carpenter Street
One McDonald's Plaza
Chicago, IL 60607

Dear Mr. Kempczinski,

As our nation continues to respond to the rapidly evolving COVID-19 pandemic, we urge you to put public health ahead of profits and provide your employees with the full scope of economic protections, including paid sick days and paid family and medical leave. Your immediate action is crucial to both the economic security of American workers and to our nation's ability to combat the spread of this deadly virus.

As you know, the COVID-19 outbreak has heavily impacted every sector of our economy—from schools to small businesses, from hospitals to hotels. Working Americans across industries are facing challenges deciding if they should go into work sick or forgo a paycheck, affording child care during school closures, and putting food on the table in the wake of reduced hours.

Paid sick days and paid family and medical leave can both ease the burden of these challenges and slow the spread of COVID-19, allowing workers to comply with the Centers for Disease Control and Prevention's (CDC's) recommendation to stay home if they are feeling ill. These essential benefits can give workers the ability to care for sick or quarantined family members, or take care of themselves if they become sick. Yet, nearly one in three private sector workers—and seven in ten low-income workers—do not have paid sick days. And a mere one in five American workers have paid family leave through their employers, while only 40% of workers have access to paid medical leave through an employer's short-term disability plan.

Congress has passed the Families First Coronavirus Response Act, which provides much needed paid sick days and paid family and medical leave protections for millions of Americans during this crisis. While this is a positive step that will save countless lives and slow the spread of COVID-19, the legislation exempts companies with 500 or more employees from providing these protections. Together, these companies employ 54 percent of American workers. The bill also allows for hardship exemptions for businesses with fewer than 50 employees, meaning that up to 80 percent of workers could not be covered by the legislation. As a nation, we will not get ahead of COVID-19 if the vast majority of our workforce faces daily decisions about complying with public health recommendations or facing economic ruin.

While we commend your current efforts to continue operations and bolster existing employee benefits, we urge you to, at a minimum, provide your employees with two weeks of emergency paid sick leave and an additional 10 weeks of job-protected paid family and medical leave during the COVID-19 outbreak. This virus does not discriminate based on a worker's classification. These protections should

apply to all workers, including new hires, part-time employees, workers at franchises, and contract workers. To fully combat the spread of this virus, any worker who is diagnosed with or quarantined due to COVID-19, who self-reports symptoms of COVID-19, who is self-quarantined based on immunocompromised status, who needs to take care of an affected loved one, or who needs to take care of a child whose school has closed, should be able to access emergency sick days and paid leave. We also encourage you to temporarily suspend absence policies and ensure no penalties apply to those who take leave. Workers who take time to care for themselves or a loved one during this crisis should not fear disciplinary action or termination.

Your corporate counterparts in the United States and around the world have taken steps to go even further. Several companies, from Salesforce to Patagonia, have pledged to continue to pay all employees, including hourly and part-time workers, their regular pay even as they close physical locations. Starbucks has announced an enhanced paid sick leave policy, offering all employees affected by COVID-19 up to two weeks of full pay and up to 26 weeks of additional pay replacement, in addition to free access to mental health resources.

As a nation, we will respond to and combat COVID-19. But this will not be the last public health crisis we face. Moving forward, our nation will be better equipped to handle these crises if large employers like yourselves institute permanent protections, including providing comprehensive health insurance coverage, offering at least seven paid sick days year round, providing at least 12 weeks of paid family and medical leave, and instituting more robust protections for frontline employees.

Extraordinary times call for extraordinary leadership. We implore you to use your unique position as a leader in the business community to protect our workers and protect our nation.

We look forward to your response on what additional policy changes you will make and how many of your workers are covered by these changes.

Sincerely,

/s/ Kamala D. Harris
United States Senator

/s/ Kirsten Gillibrand
United States Senator