

COVID-19 Pandemic Paid Sick Leave Notice to Employees

Amendments to Chapter 9-4100

Healthcare Employee Pandemic Paid Sick Leave

Employer requirements:

Starting September 9 2020, Healthcare employers must provide certain Healthcare Workers (including pool employees and service employees) with paid sick leave when the employee tests positive for COVID-19. This includes hospitals, nursing homes, and home health providers.

In order to qualify, the eligible employee must have worked at least 40 hours within the three months prior to the positive COVID-19 test. In order to use your health care employee leave, you must request it from your employer.

Public Health Emergency Leave

2020 Employer requirements:

Starting September 17 2020 until December 31 2020, employers with **500 or more employees** must provide **up to 112 hours** of paid sick leave to employees who request it for certain COVID-19 reasons including :

- 1) Care for self or family member showing symptoms of COVID-19.
- 2) Care for self or family member advised to self quarantine by a health care provider.
- 3) Care for self or family member during local quarantine.
- 4) Childcare or school closure.

A note is not required in order to request public health emergency leave. Additional protections are outlined in the law and it's regulations. Employees excluded in the FFCRA can be eligible under this provision. In order to use your emergency leave, you must request it from your employer.

Employees with multiple employers have specific terms and conditions outlined in the regulations including start date. You may be eligible for state or federal benefits. There is no 90 day waiting period for eligible employees.

Employer requirements:

Starting March 29 2021 and during the COVID-19 pandemic, employers with **50 or more employees** must provide **up to 80 hours** of paid sick leave to certain employees who request it for certain COVID-19 reasons including :

- 1) Care for self or family member showing symptoms of COVID-19.
- 2) Care for self or family member exposed to COVID-19 in order to self isolate.
- 3) Childcare or school closure.
- 4) In order to receive a vaccine or recover from injury, disability or illness related to vaccination.

This paid sick leave must be provided outside of and prior to using the eligible employee's existing accrued paid time off banks for certain employees. Covered employers whose existing leave policies provides 160 hours or more of paid time off in 2021 that is not specifically designated as sick leave but can be used for the same purposes under the same conditions as required by this law shall not be required to provide additional paid sick leave. In order to use your emergency leave, you must request paid sick leave from your employer. Eligible employees must be employed for 90 days or more.

**Employers may be eligible to receive a federal tax credit when they provide emergency paid sick leave.*

Retaliation by employers is prohibited.



The Office of Worker Protections
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Employers
Request compliance
assistance by contacting the
Office of Worker Protections

Employees
File a complaint
by contacting the Office of
Worker Protections

Employees have two years from when the violation occurred to file a complaint. Our office will not ask for identification or social security information. Language access is available.