

Public Health Emergency Paid Sick Leave

Philadelphia has had two separate Public Health Emergency Paid Sick Leave requirements, effective during different time periods. PHEL requirements are no longer in effect.

From September 17, 2020 through December 31, 2020, Chapter 9-4100 of the Philadelphia Code, entitled “Promoting Healthy Families and Workplaces,” required that employers with 500 or more employees provide up to 112 hours of paid sick leave under certain circumstances during the COVID-19 pandemic to Philadelphia employees who request it due to:

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

A note was not required in order to request public health emergency paid sick leave.

Employees excluded under the FFCRA may be covered under the public health emergency paid sick leave amendment.

Separately, a **Public Health Emergency Leave law started on March 29, 2021 and was effective until June 10, 2021**. This law requires employers with **50 or more employees** provide up to 80 hours of paid sick leave to certain employees for specific COVID-19 reasons, including :

- Care for self or family member showing symptoms of COVID-19.
- Care for self or family member exposed to COVID-19 in order to self isolate.
- Childcare or school closure.

- In order to receive a vaccine or recover from injury, disability or illness related to vaccination.
- If you need to miss work for the reasons outlined above, you can request paid sick leave from your employer.

This paid sick leave must be provided outside of and prior to using the eligible employee's existing accrued paid time off for certain employees. Covered employers whose existing leave policies provide 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.

Eligible employees must be employed for 90 days or more in order to receive this paid sick leave for COVID-19 reasons listed above. This law includes full time employees, part time employees, and union employees. However, this law does not cover seasonal or temp employees, state or federal employees and independent contractors (1099 employees).

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