



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 200714

Introduced December 10, 2020

Councilmembers Brooks, Henon, Gym, Bass, Gauthier and Johnson

AN ORDINANCE

Amending Chapter 9-4100 of The Philadelphia Code, entitled "Promoting Healthy Families and Workplaces," to revise provisions concerning leave time for public health emergencies, and make technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. The Council of the City of Philadelphia hereby finds that:

(1) On March 6, 2020, in response to the 2019 novel coronavirus disease, COVID-19, the Governor of Pennsylvania issued a Proclamation of Disaster Emergency.

(2) On March 11, 2020, the World Health Organization declared the COVID-19 outbreak a global pandemic, defined as the worldwide spread of a new virus for which most people do not have immunity.

(3) Since early March, the Governor of Pennsylvania, Secretary of Health of Pennsylvania, Mayor and the Commissioner of Public Health have issued various orders imposing restrictions on businesses and persons for the purpose of controlling the spread of COVID-19 that have varied as the course of the epidemic has changed.

(4) The City has recently seen an increase in cases of COVID-19, which has necessitated further restrictions, which began Monday November 23, 2020.

(5) The COVID-19 pandemic has caused a negative impact on the lives and incomes of Philadelphians and has had a negative impact on Philadelphia's economy and City revenues.

(6) The Philadelphia Code Section 9-4116, entitled "Public Health Emergency Leave," is set to sunset on December 31, 2020, but the need for paid emergency leave continues.

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(7) The landscape of federal law concerning mandatory paid leave benefits is uncertain and Council desires to have a better understanding of any federal requirements and funding available prior to finalizing an extension of a paid emergency leave in order to avoid overburdening small and medium sized businesses, but likewise desires to put employers in the City on notice that such an extension is forthcoming.

SECTION 2. Chapter 9-4100 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 9-4100. PROMOTING HEALTHY FAMILIES AND WORKPLACES

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§ 9-4116. Public Health Emergency Leave

* * *

(19) Sunset Provision. The provisions of Section 9-4116 shall expire on December 31, [2020.] *2021*. No hiring entity shall be required to provide a covered individual public health emergency leave or allow a covered individual to use public health emergency leave previously provided after December 31, [2020.] *2021*.

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SECTION 3. This Ordinance shall be retroactive to December 31, 2020.

Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.