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

Legislation Text

File #: 200306, **Version:** 1

Amending Chapter 9-4100 of The Philadelphia Code, entitled "Promoting Healthy Families and Workplaces," by adding new definitions and requirements to ensure that certain health care employees are compensated for lost wages and medical expenses in the event they contract a communicable disease at work during a pandemic or epidemic event, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is hereby amended to read as follows:

TITLE 9. REGULATIONS OF BUSINESSES TRADES AND PROFESSIONS

* * *

CHAPTER 9-4100. PROMOTING HEALTHY FAMILIES AND WORKPLACES

* * *

§ 9-4103. Definitions.

* * *

(9) "Health care employee" means any person who has full-time or part-time employment within a healthcare organization, including but not limited to hospitals, nursing homes, and home healthcare providers.

[(9)]*(10)* "Health care professional" means any person licensed under Federal or Pennsylvania law to provide medical or emergency services, including but not limited to doctors, nurses and emergency room personnel.

* * *

[(12)]*(13)* "Pool employee" means any health care professional, other than an employee of a temporary placement agency, who works only when he or she indicates that he or she is available for work and who has no obligation to work when he or she does not indicate availability.

* * *

(19) "Epidemic" means an outbreak of disease that spreads quickly and affects many individuals at the same time.

(20) "Pandemic" means an outbreak of disease that occurs over a wide geographic area and affects an exceptionally high proportion of the population.

powered by Legistar™

* * *

§ 9-4117 Compensating Pool Employees and Healthcare Employees During a Declared Pandemic or Epidemic Event

(1) The purpose of this section is to ensure that Pool Employees and Healthcare Employees as defined in §9 -4103 (9) and (13) are compensated for lost wages and medical expenses in the event they contract a communicable disease during a pandemic or epidemic affecting the City of Philadelphia declared to exist by the World Health Organization, the Centers for Disease Control and Prevention, or other recognized public interest health orgnization.

(a) During a declared pandemic or epidemic, health care employers shall provide benefits to a pool employee or healthcare employee if the employee contracts the pandemic or epidemic related disease during the pandemic or epidemic event and had worked for the employer at least 40 hours in the three months prior to contracting the disease.

(b) The pool employee or healthcare employee shall be reimbursed for all lost wages related to the disease (isolation, treatment and recovery) when the employee is unable to work.

(c) The pool employee or healthcare employee shall be reimbursed for all medical expenses related to treatment for the communicable disease or the employer shall provide such care as needed at its facility at no cost to the employee.

(d) The pool employee or healthcare employee shall be reimbursed by the employer for the number of days he or she is unable to work as stipulated in §9-4117(1)(b). The amount reimbursed shall be at the employee's normal rate and shall be equal to the number of work days the employee would have worked if the disease had not been contracted. The number of days that the employee would have worked shall be equal to the average number of days worked per week during the three months prior to contracting the disease.

(e) To qualify for this benefit, the pool employee or healthcare employee must be in the service of the employer for a minimum of 40 hours during the previous three month period prior to contracting the communicable disease during a pandemic or epidemic event.

(2) Any employer that provides healthcare services and utilizes the services of pool employees or healthcare employees shall provide the benefits as provided in 9-4117. The benefits provided in §9-4117 shall not be subject to the collective bargaining exception of Subsection (8) of §9-4104.

SECTION 2. This Ordinance shall take effect immediately.

powered by Legistar™

Explanation:

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

powered by Legistar™