



# The End of a Disaster: Pennsylvania Local Paid Sick Leave Laws Have Expired

Insights

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Like many cities across the country, Philadelphia and Pittsburgh issued emergency paid sick leave laws as a result of the COVID-19 pandemic. Both of these leave laws were set to expire at the conclusion of Pennsylvania's Proclamation of Disaster Emergency. Now that Pennsylvania's Proclamation of Disaster Emergency has expired, so too have the paid sick leave obligations for Philadelphia and Pittsburgh employers. What do you need to know about these developments?

## The End of Pennsylvania's Proclamation of Disaster Emergency

The Proclamation of Disaster Emergency was originally declared by Governor Tom Wolf on March 6, 2020 and has had renewals since that time. The last amendment to the Proclamation was on May 20, 2021, at which time the Governor indicated that the Proclamation shall remain in full force and effect until either rescinded by him or terminated by law.

Governor Wolf has not rescinded his Proclamation. However, in Pennsylvania's May primary election, voters approved giving the state legislature new and broad powers over emergency declarations. On June 10, Pennsylvania's legislature exercised these new powers and voted to end the Governor's emergency declaration through Senate approval of Pennsylvania House Resolution No. 106. At the same time, the Senate moved to amend House Bill 854 to keep certain pandemic-related waivers of state regulations in place through September 30, 2021. These include the emergency authorization of telemedicine and temporary extra staffing at nursing homes and other healthcare facilities.

There are no carve-outs for the Temporary Emergency Paid Sick Leave Laws in Pittsburgh or Philadelphia. Governor Wolf certified the results of the May primary election on June 15, including voter approval of the state legislature's new power over emergency declarations.

## What Does this Mean for Philadelphia's COVID-19 Paid Sick Leave?

On March 29, 2021, the City of Philadelphia passed its most recent Public Health Emergency Leave Law with Bill 210122-A. This local law had a Sunset Provision that provided: "The provisions of this Chapter shall expire upon the expiration of the Proclamation of Disaster Emergency of the Governor of Pennsylvania related to the COVID-19 pandemic." In light of the expiration of the Governor's Proclamation, Philadelphia's temporary leave law has also expired.

## What Does this Mean for Pittsburgh's COVID-19 Paid Sick Leave?

Similarly, Pittsburgh enacted [Pittsburgh's Temporary Emergency COVID-19 Paid Sick Leave Act](#), which provides in Section 2 that it "shall expire upon expiration of either the COVID-19 emergency disaster Declaration in the Commonwealth of Pennsylvania or the COVID-19 emergency disaster Declaration of the City of Pittsburgh; whichever is sooner." The City of Pittsburgh has [FAQs](#) on its website that indicate the Act will automatically terminate one week after the expiration of the Declaration of Emergency by the Commonwealth of Pennsylvania or the City of Pittsburgh, whichever is sooner.

Assuming the effective date for the expiration of Governor Wolf's emergency declaration is June 10, the date the PA Senate approved [Pennsylvania House Resolution No. 106](#), Pittsburgh's Temporary Emergency Paid Sick Leave expired last week on June 17. Accordingly, unless the City of Pittsburgh issues further guidance, Pittsburgh's Temporary Emergency Paid Sick Leave Act has expired.

## What Should Employers Do?

Employers operating within the city limits of Philadelphia and/or Pittsburgh should notify employees that the paid leave once required under the Public Health Emergency Leave Law is no longer available. If necessary, this should be accomplished through revised handbooks or policies. Multi-state employers looking for as much consistency across their organization as feasible should watch for similar updates in other state and local jurisdictions. This change in Pennsylvania local laws is a good example of a shift employers are making from compliance to a future vision. The exit from the COVID-19 pandemic will provide employers with the opportunity to make choices about the policies and procedures that are best for the organization, as opposed to a focus on compliance with pandemic-driven obligations.

We'll continue to monitor the status of temporary/emergency paid leave laws, and will provide updates as warranted, so [make sure you are signed up for Fisher Phillips' Insight service](#) to receive the latest news directly in your inbox. For further questions, feel free to reach out to your Fisher Phillips attorney, the authors of this Insight, or [any attorney in our Pennsylvania offices](#).

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