

Model Paid Sick Time Policy for Employers with Fewer Than 15 Employees

Note to Employers: Owner(s) do not count as Employees. The highest number of Employees at any one time in the preceding twelve months determines staff size for Paid Sick Time purposes. Each worker counts as an Employee, regardless of hours worked.

Employer Provides Paid Sick Time

All Employees who work within Pittsburgh city limits at least thirty (30) hours per calendar year have the right to Paid Sick Time. Employer provides [at least forty-eight (48)] hours of Paid Sick Time in accordance with the Paid Sick Days Act, Pittsburgh City Code Chapter 626.

Employees Accumulate Paid Sick Time

Note to Employers: The Employer chooses how Employees accumulate Paid Sick Time. There are two methods for earning Paid Sick Time: 'front loading' or 'accrual.' With front-loaded Paid Sick Time, Employees start out their employment with at least forty-eight (48) hours of Paid Sick Time. If an Employer uses the accrual method, Employees build up Paid Sick Time, adding regular amounts proportional to hours worked over time.

Front Load Paid Sick Time: Employees start employment with [at least forty-eight (48)] hours of Paid Sick Time. Accrued, unused Paid Sick Time [does/does not] carry over to the following year.

OR

Accrual of Paid Sick Time: Employees accrue [at least forty-eight (48)] hours of Paid Sick Time in a calendar year. Employees accrue at least one (1) hour of Paid Sick Time for every thirty (30) hours worked within Pittsburgh city limits. (For FLSA exempt Employees, Paid Sick Time accrues based on a normal workweek of [#], no more than 40] hours.) Employees begin to accrue Paid Sick Time at the start of employment and may use accrued Paid Sick Time beginning [ninety (90) or fewer] days after hire. Paid Sick Time is accrued in one-hour increments. Unused Paid Sick Time carries over to the following year.

Employees May Use Paid Sick Time For:

Employee's or Employee's family member's care for a mental or physical illness, injury or health condition; Employee's or Employee's family member's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or Employee's or Employee's family member's need for preventive medical care. Employees may also use Paid Sick Time for closures, caregiving, or quarantine required by public health authorities or personal healthcare provider.

Using Paid Sick Time

Employees must make oral requests for Paid Sick Time at least one (1) hour before their shift starts whenever possible. Employees must make a good faith effort to notify their Manager at [phone number] as soon as possible regarding the need to use Paid Sick Time. Employees may also notify their Manager in writing at [email address/ mailing address]. Employees may use accrued Paid Sick Time in [(25-1)-hour] increments. Paid Sick Time is paid at the Employee's regular rate for time worked, not including tips/commissions. Payment for Paid Sick Time will be paid in the same pay period as if the time was worked.

An Employee using Paid Sick Time is **not** responsible for finding a replacement worker to cover their shift.

Form of Paid Sick Time Requests

Employee requests to use Paid Sick Time must include the expected duration of the absence when possible. If needed Paid Sick Time is not predictable, the Employee must make a good faith effort to notify the Employer as soon as possible. Employer requires seven (7) days' advance notice if Employee uses Paid Sick Time for reasonably predictable reasons (like a doctor's appointment scheduled in advance). The Employee must make a reasonable effort to schedule the use of Paid Sick Time so that it is not unduly disruptive.

Doctor's Note & Confidential Health Information

Employer [does not/does] require a doctor's note for absences three (3) consecutive days or longer. [If required, a doctor's note does not need to include specific medical information; a note saying that Sick Time is necessary is enough.] Employer will not disclose Employee health information and will protect its confidentiality.

Recordkeeping

Employer will regularly inform Employees of their Paid Sick Time balance [on pay stubs/online]. These records will be retained by Employer for two (2) years.

Changes in Employment

Transfer to another unit within Employer's company does not affect accrued Paid Sick Time. Paid Sick Time has no monetary value upon separation from employment. If Employer rehires Employee less than six months after separation, previously accrued and unused Paid Sick Time will be reinstated. A new owner who acquires a business with employees will honor previously accrued and unused Paid Sick Time. A new owner who acquires a business with employees will honor previously accrued and unused Paid Sick Time.

Denials, Retaliation & Other Complaints

Employer will not retaliate against Employees who request or use Paid Sick Time. Retaliation includes the following: considering use of Paid Sick Time in performance reviews or setting wages, disciplining or terminating Employees for using accrued Paid Sick Time, reporting or threatening to report an Employee or Employee's family member to law enforcement in connection with the use of Paid Sick Time, or discouraging or denying Employees from using their accrued Paid Sick Time.

Employees have the right to file a complaint with the Office of Equal Protection over retaliation or denial of sick time required by the Paid Sick Days Act. Complaint forms can be submitted at:

<https://www.pittsburghpa.gov/City-Government/Legal-Services/Office-of-Equal-Protection/Paid-Sick-Days-Act/File-A-Complaint>; emailed to PaidSickLeave@pittsburghpa.gov; or sent through postal mail or delivered to the Office of Equal Protection, Law Department, City-County Building, 414 Grant Street, 3rd Floor, Pittsburgh, PA 15219.

If Employees need language or disability access to file a complaint, they may contact PaidSickLeave@pittsburghpa.gov for assistance.