

# Employment Law Advisory: Allegheny County Approves New Rules on Paid Sick Days: What to Know



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## **Do you have employees who work within Allegheny County?**

If your business has employees working within Allegheny County, now is the time to update your policies for compliance with the new Paid Sick Days regulations. On September 14, the Allegheny County Council ratified the amendment to the Allegheny County Health Department Rules and Regulations to mandate paid sick leave. The new rule will take effect in 90 days after County Executive Rich Fitzgerald approves it.

## **Who does the rule apply to?**

The rule applies to employees working within the geographical boundaries of Allegheny County, even if the business has an office located outside of the County. Businesses with 26 or more employees will be required to accrue a minimum of one hour of paid sick time for every 35 hours an employee works within the geographical boundaries of Allegheny County for a maximum of 40 hours of paid sick time in a calendar year. Employees shall be entitled to use accrued paid sick time beginning on the 90th calendar day following the commencement of their employment.

## **Will my company PTO policies need updated?**

Most businesses' paid time off (PTO) policies will likely need to be updated to reflect the new regulation and to clarify that employees are permitted to use their accrued time off for the following purposes:

- For an employee's mental or physical illness, injury or health condition or preventive medical care;
- care for a family member's health conditions or other care and treatment;
- closure of employee's workplace due to public health emergency;
- employee's need to care for a child whose school or daycare is closed due to a public health emergency; and
- if a family member was exposed to a communicable disease.

Employers are not permitted to retaliate or discriminate against an employee who exercises his/her right to use sick time. Employees cannot be disciplined for appropriate use of sick time. Therefore, companies should review their attendance policies to ensure employees are not being disciplined or have other adverse action taken against them for proper use of sick time.

## Questions?

For guidance on updating policies and questions on Allegheny County's Paid Sick Days requirements, please contact Elaina Smiley at [es@muslaw.com](mailto:es@muslaw.com), any member of the firm's Employment Law Group listed below, or any other Meyer, Unkovic & Scott lawyer with whom you have worked.

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## Meyer, Unkovic & Scott Employment Law Group

Meyer, Unkovic & Scott's Employment Law Group actively represents clients faced with employment related disputes ranging from discrimination and harassment claims, wage and hour claims, disputes related to employment agreements and non-compete agreements. We guide clients through the administrative process of claims filed with various governmental agencies such as the Equal Employment Opportunity Commission, Pennsylvania Human Relations Commission, Pittsburgh Commission on Human Relations and the Department of Labor and vigorously represent our clients with litigation claims filed in Federal and State Courts.

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