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Employment Law Advisory

Allegheny County Expands Paid Sick Leave – Provides 12 Weeks of Paid Parental Leave

On October 22, 2026, Allegheny County passed employer-funded paid parental leave and amended its paid sick leave law in ways that will reach nearly every employer with workers in the County. The amendments extend paid sick time obligations, increase accrual rates and annual caps, and create a new paid parental leave benefit of up to 12 weeks. The amendments also add notice and recordkeeping obligations with daily fines for violations.

Key Dates

Although the amendments become effective no fewer than 180 days following passage, employers have 180 days from the effective date to implement the new law. This means that employers must implement these new rules by October 17, 2027.

Who Is Covered?

The law covers employees who perform work within the geographic boundaries of Allegheny County for at least 80 hours in a year. It does not cover independent contractors; state and federal employees; members of a construction labor union covered by a collective bargaining agreement, temporary employees, and seasonal employees (workers hired for a temporary period of not more than 16 weeks during a calendar year).

Paid Sick Time Changes

CURRENT LAW	UNDER THE AMENDED LAW
Paid sick time obligations apply only to employers with 26 or more employees.	Applies to all companies, regardless of size.
Employees working in Allegheny County earn 1 hour of sick time for every 35 hours worked.	Employees earn 1 hour of sick time for every 30 hours worked.
Employees are capped at 40 hours of paid sick time.	• Employees working for companies with 15 or more employees can earn up to 72 hours of paid sick time. • Employees of employers with fewer than 15 employees can earn 48 hours of paid sick time a year.

Importantly, an existing paid time-off policy will not, by itself, satisfy the law. Even if an employer maintains a paid leave or PTO policy that provides enough leave, for the same purposes and under the

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same conditions, the employer must still provide designated paid sick leave and designated paid parental leave.

- This means that employers must amend their policies to segregate sick time as a separate bank of time.

New Paid Parental Leave

For companies with 15 or more employees, employees will be granted 12 weeks of paid leave after a birth, stillbirth, adoption, or permanent placement.

- Employees must be employed by the employer for at least 180 continuous days.
- Part-time employees must be employed for 180 days and have worked 625 hours.

Permitted uses:

- For a birth, adoption, or placement, leave may be used during the first 12 months after the event to care for, bond with, and support the physical and emotional well-being of the child and the employee.
- In the case of a stillbirth, either parent may use leave to address the physical and behavioral health effects arising from the stillbirth, including recovery from childbirth.

Pay and benefits:

- Leave is paid at the employee's base rate, capped at $4,200 per week, with benefits continued for the 12 weeks.
- For part-time employees, the benefit equals the average weekly hours worked during the preceding six months multiplied by the current rate of pay.
- Married individuals or domestic partners employed by the same employer are both eligible for benefits, even when their leave runs concurrently.

Employee Notice

When the need for leave is known at least 30 days in advance, the employee must give written notice of the need and schedule for leave at least 30 days before taking it and must make a reasonable effort to schedule leave so as not to unduly disrupt operations. For all other absences, the employee must notify the employer as soon as practicable, including when the need arises immediately before or after reporting for work.

Administration of Parental Leave Claims

- Employers must decide parental leave claims within ten business days of receiving the claim and all necessary supporting documentation.
- If the employer fails to decide in time or rejects the claim, the employee may file a complaint with the County agency, which then has three business days to decide.

Employer Notice and Certification

- At hire, and annually thereafter, employers must provide employees with a written notice of the law's requirements, explaining the right to benefits, duration of leave, job protection and benefit continuation, the prohibition on discrimination and retaliation, and the ability to file a claim.
- Beginning one year after the effective date, employers must file a certification of compliance with the County agency.

Enforcement and Penalties

- Violations may result in fines of up to $100 per day, per violation.
- No fines or penalties will be levied within one calendar year of the effective date.

Recordkeeping

- Employers must retain records of hours worked and paid sick and parental leave taken for two years.
- Failure to maintain adequate records, or to give the agency reasonable access, creates a presumption that the employer violated the law.

Complaints and Fees

- Employees may file a complaint within six months of when they knew or should have known of the violation and may recover attorney fees and costs.
- Adverse action taken within 90 days after a person files a complaint, informs anyone of an alleged violation, cooperates in an investigation, opposes an unlawful practice, or informs anyone of their rights creates a rebuttable presumption of unlawful retaliation.
- Employees cannot waive their paid parental leave rights; any such waiver is void as against public policy.

What Employers Should Do Now?

It is likely that this legislation will face legal challenges based on the authority of Allegheny County's Health Department to pass such legislation, which could delay the implementation.

- Employers should evaluate which employees work at least 80 hours a year in Allegheny County and are covered by the amendments.
- Companies should be ready to create designated paid sick leave rather than relying on PTO to cover the increased sick time obligations.
- Employers should put in place a process to decide parental leave claims within 10 business days. They should be prepared to provide employee notices and calendar the compliance certification due one year after the effective date. It is anticipated that the County will issue guidance on these notice requirements and provide sample notices.



Questions

If you have questions about this advisory, please contact Elaina Smiley at es@muslaw.com or any other attorney at Meyer, Unkovic & Scott with whom you have worked.