



Overview of Paid Sick Time Laws in the United States

Updated on October 13, 2020

Please note that these paid sick time materials do not represent an exhaustive overview of the state, county, and city paid sick time laws described, and it does not constitute legal advice. It is possible that additional provisions not described in these materials may apply to a worker's specific circumstances or category of employment.

 <p>For more information visit A Better Balance (abetterbalance.org)</p>	Philadelphia, PA
<p>Who is covered? Note: City/county paid sick time laws cannot cover state government workers, and city, county, and state paid sick time laws cannot cover federal government workers.</p>	<p>Workers employed in Philadelphia for at least 40 hours in a calendar year are covered. The following workers are exempted: independent contractors; seasonal workers (hired for a temporary period of not more than 16 weeks a year); adjunct professors; interns (students working for the institution where enrolled); workers hired for a term of less than 6 months; and health care professionals who only work when indicating they are available and have no obligation to work when they do not indicate availability.</p>
<p>Can sick time be used to care for loved ones?</p>	<p>Yes: children; parents; parents-in-law; spouses; grandparents; the spouse of a grandparent; grandchildren; siblings; the spouse of a sibling; and a life partner (a long-term committed relationship between two unmarried individuals of the same sex or gender identity who meet certain, specified requirements)</p>
<p>How is "child" defined?</p>	<p>Biological, adopted or foster children, stepchildren, legal wards, or the child of a worker standing in loco parentis to the child</p>
<p>Can sick time be used for specific "safe time" purposes (related to domestic violence, sexual assault, or stalking)?</p>	<p>Yes, when the worker or the worker's family member is the victim</p>
<p>Can sick time be used under the law to bond with a new child and/or deal with a family member's death? Note: It is possible that other laws, such as the Family and Medical Leave Act or a state equivalent, could provide eligible workers with unpaid leave for these purposes.</p>	<p>No</p>
<p>Can sick time be used when a worker's place of work or child's school/place of care is closed by public health officials for a public health emergency?</p>	<p>No</p>
<p>Rate at which workers earn paid sick time?</p>	<p>1 hour for every 40 hours worked (for both paid and unpaid sick time, as described below)</p>

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Do workers have different sick time-related rights based on the size of their employer? If so, based on what employer-size threshold(s)?	Yes. Workers in businesses with 10 or more workers can earn up to 40 hours of paid sick time per year. Workers in businesses with fewer than 10 workers can earn up to 40 hours of unpaid, job-protected sick time per year. Certain chain establishments must provide paid sick time regardless of the number of workers in an establishment.
Amount of paid sick time that can be earned under the law per year? (Note: All of these paid sick time laws make it clear that these laws establish a minimum requirement, and employers can provide greater or more generous paid sick time benefits to their workers.)	Workers in businesses with 10 or more workers: up to 40 hours a year. Workers in businesses with fewer than 10 workers: up to 40 hours of unpaid, job-protected sick time a year. Certain chain establishments must provide paid sick time regardless of the number of workers in an establishment.
When do workers begin to earn paid sick time?	At the commencement of employment, but workers aren't entitled to use sick time until after 90 calendar days of employment.
Does unused sick time carry forward to the subsequent year?	Workers are entitled to carry forward unused sick time, but employers are not required to allow use of more than 40 hours of sick time per year. Carry forward isn't required if the employer chooses to provide at least 40 hours of sick time at the beginning of each calendar year.
Private Right of Action to go to Court?	Yes. Can go directly to court in the first 120 days after May 13, 2015, the law's effective date. After that, workers may go to Court only after receiving a final decision from the agency or 180 days after filing a complaint, whichever is earlier.
Are there waivers/ exemptions for workers covered by a valid Collective Bargaining Agreement (CBA)?	The law's provisions do not apply to workers covered by a bona fide CBA.
What Agency or Official Enforces the Law?	The Mayor's Office of Labor, Office of Benefits and Wage Compliance
For the statewide paid sick time laws: can cities in the state pass paid sick time laws that are broader than the state law?	N/A
Statutory Citation(s)	Philadelphia Code § 9-4101 et seq.
Additional Notes	For more information, see https://www.phila.gov/services/working-jobs/paid-sick-leave/ .