

City of Philadelphia



(Bill No. 240932)

AN ORDINANCE

Amending Chapter 9-4100 of The Philadelphia Code, entitled "Promoting Healthy Families and Workplaces," to modify the manner in which certain leave benefits are administered during a pandemic or epidemic, and making technical changes, all under certain terms and conditions.

..THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 9 of The Philadelphia Code is hereby amended to read as follows:

TITLE 9. REGULATIONS OF BUSINESSES TRADES AND PROFESSIONS.

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CHAPTER 9-4100. PROMOTING HEALTHY FAMILIES AND WORKPLACES

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§ 9-4103. Definitions.

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(13) Pool employee means any health care professional, other than an employee of a temporary placement agency, who works only when he or she indicates that he or she is available for work and who has no obligation to work when he or she does not indicate availability.

(14) Public Health Emergency means a declared or proclaimed emergency related to a public health threat, risk, disaster or emergency that affects Philadelphia that is made or issued by a federal, state or local official with the authority to make or issue such a declaration or proclamation, beginning on the earliest effective date of any such declaration or proclamation and ending on the date the last such declaration or proclamation ends, whether through expiration or termination.

[(14)](15) Retaliatory personnel action means the discharge, suspension, or demotion by an employer of an employee or any other adverse action taken by an employer against an employee.

[(15)](16) Seasonal worker means a person who has been hired for a temporary period of not more than sixteen weeks during a calendar year.

[(16)](17) Sexual assault means any physical sexual contact without the consent of the victim.

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[(17)](18) Sick time means time off from work that is provided by an employer to an employee, whether paid or unpaid, that can be used for the purposes described in Section 9-4105 of this Chapter.

[(18)](19) Stalking is as defined in subsection 9-3201(7) of this Code.

[(19)](20) Epidemic means an outbreak of disease that spreads quickly and affects many individuals at the same time.

[(20)](21) Pandemic means an outbreak of disease that occurs over a wide geographic area and affects an exceptionally high proportion of the population.

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§ 9-4117 Compensating Pool Employees and Healthcare Employees During a [Declared Pandemic or Epidemic Event] *Public Health Emergency*

(1) The purpose of this Section is to ensure that Pool Employees and Healthcare Employees, as defined in subsections 9-4103(9) and (13), are compensated for lost wages and medical expenses in the event they contract a communicable disease during a pandemic or epidemic affecting the City of Philadelphia [declared to exist by the World Health Organization, the Centers for Disease Control and Prevention, or other recognized public interest health organization] *for so long as a Public Health Emergency, as defined in subsection 9-4103(14), is in effect.*

(a) During a [declared pandemic or epidemic] *Public Health Emergency arising from a pandemic or epidemic affecting the City of Philadelphia*, health care employers shall provide benefits to a pool employee or healthcare employee if the employee contracts the pandemic or epidemic related disease during the pandemic or epidemic event and had worked for the employer at least 40 hours in the three months prior to contracting the disease.

* * *

SECTION 2. This Ordinance shall take effect immediately.

Explanation:

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[Brackets] indicate matter deleted.

Italics indicate new matter added.

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CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on December 12, 2024. The Bill was Signed by the Mayor on December 23, 2024.

A handwritten signature in black ink, reading "Elizabeth McCollum". The signature is written in a cursive, flowing style.

Elizabeth McCollum
Interim Chief Clerk of the City Council