

**City of Pittsburgh
PATHWAYS POLICY**

Title: City of Pittsburgh Paid Sick Days Act	Chapter: Organization
Policy Number: ORG.1006.000.00	Subsection:
Initiating Authority: : CEO and Executive Vice Presidents	Effective Date: 3/15/2020
Origination Date: 03/11/2020	Next Review:
Approving Authority: Executive Vice Presidents	
Associated Policies: ORG 701, 702 Full-Time Employee Benefits and Part-Time Employee Benefits	
Associated Procedures:	

Purpose

The purpose of this policy is to ensure compliance with the Pittsburgh City Code Chapter 626, "Paid Sick Days Act," effective March 15, 2020.

Scope

Covered Employee means an individual employed by an Employer who performs work within the geographic boundaries of the City of Pittsburgh for at least 35 hours in a Calendar Year. The term does not include independent contractors, State or Federal employees, any member of a construction union covered under a collective bargaining unit, or Seasonal Employees.

General

In order to ensure compliance PathWays acknowledges that employment may be based outside the geographic City limits of Pittsburgh; however, there are incidents that employees who perform work within the geographic boundaries of the City of Pittsburgh.

- (a) In such an instance, only the work performed within the City of Pittsburgh is required to be included in the computation of accrued Sick Time
 - (i) Including, but not limited to: conferences, educational activities, transporting of clients and other required activities.
- (b) The portion of regular travel time into and out of the City, such as compensable time related to travel through the city.

Policy

1. **Accrual of Sick Time**
 - a. **Accrual Rates:** An Employee shall accrue a minimum of one (1) hour of Paid Sick time for every 35 hours worked for PathWays within the geographic boundaries of the City of Pittsburgh.
 - b. **Accrual Increments:** Sick time is accrued in one-hour increments.
2. **Carryover of Sick Time**

- a. Accrued, unused Sick Time shall be carried over from on Calendar Year to the next up to the accrual cap of forty (40) hours for a Covered Employee.

3. Use of Earned Sick Time

- a. The use of accrued Sick Time may begin on the 90th calendar day following a covered Employee's start of employment.
- b. An advance oral request must be provided to PathWays by a Covered Employee for the use of the Sick Time. The request shall include the anticipated duration of the absence when possible.
 - i. The oral request must be provided to PathWays at least one (1) hour prior to the start of the of the Covered Employee's shift. A Covered Employee must make a good faith effort to notify the Employer as soon as possible regarding the need to use Sick time.
 - 1. Foreseeable circumstances: If the need for the use of Sick Time foreseeable, such as a prior scheduled appointment with a Health Care Professional, PathWays requires an advanced notice requirement of seven (7) days prior to the date that the requested use of Sick time is to begin.
 - a. The covered employee shall make a reasonable effort to schedule the use of the Sick Time in a manner that does not unduly disrupt Pathway's operations.
 - b. Unforeseeable circumstances or inability to provide stated advance notice. The Covered employee must make a good faith effort to notify as soon as possible as to the need to use Sick Time.
- c. Use Increments: A Covered Employee may use accrued Sick Time in 15 minute increments.
- d. PathWays may not require the Covered Employee making use of the accrued Sick Time search or find a replacement worker to cover the hours during which the employee is using Sick Time as a condition for providing such Sick Time.

4. Eligibility of usage of Paid Sick Time

- a. Sick time for a Covered Employee may be used for the Covered Employee themselves or a family member.
 - i. For the purpose of this act, a family member is defined as the following:
 - 1. A biological, adopted or foster child, stepchild or legal ward, child of a domestic partner or a child to whom the employee stands in loco parentis
 - 2. A biological, adopted or foster child, stepchild or legal ward, child of an employee or an employee's spouse or a child to whom the employee stands in loco parentis
 - 3. A person to whom the employee is legally married under the laws of any state
 - 4. A grandparent or spouse or domestic partner of a grandparent
 - 5. A grandchild
 - 6. A biological, foster, or adopted sibling
 - 7. A domestic partner

8. Any individual for whom PathWays has given oral permission to the employee for at the time of the employee's request to make use of sic time.

5. Verification Procedures

- a. For sick time that last three (3) or more full consecutive days, PathWays requires that the Covered Employee present reasonable documentation from a medical provider.
 - i. PathWays will treat all medical documentation under all confidentially policies and procedures in accordance with all applicable laws including Heath Information Portability Protection Act (HIPPA).
 - ii. When a Covered Employee's absence is covered by Family Medical Leave Act (FMLA), and employer does not seek additional documentation in outside of the definitions in the FMLA guidelines.

6. Rate of Pay for use of Sick Time

- a. Covered Employee's Paid sick time is compensated at the same base rate of pay and with the same benefits, including health care benefits, as an employee would have earned at the time of their use of the Paid Sick Time.
- b. Covered Employees who are compensated on a set salary or on time worked at a fixed hourly rate shall be compensated for any accrued Paid Sick Time based on the same rate as they would normally earn from.
- c. PathWays in accordance with all Wage and Hours laws will reimburse the Covered Employee at their hourly rate whether or not the Employee has earned or could have earned pay at an overtime rate during some part of the relevant pay period.

7. Termination of employment

- a. PathWays will not pay a Covered Employee for any portion of that employee's unused accrued Paid Sick Time at the time the employee separates from employment.
 - i. A Covered Employee who is rehired by PathWays, whether at the same or a different location, within six (6) months following separation from employment shall have any previously accrued Paid Sick Time reinstated and available for use at the time of recommencement of employment.

8. Prohibited actions

- a. PathWays will not transfer, demote, discharge, suspend, reduce hours, or directly threaten such actions against a Covered Employee who requests or uses accrued Sick Time.
 - i. Prohibited actions include the following: considering use of Sick Time in performance reviews or setting wages, disciplining or terminating Covered Employees for using accrued Sick Time, reporting or threatening to report an Employee or Employee's family member to law enforcement in connection with the use of Sick Time, or discouraging or denying Covered Employees from using their accrued Sick Time.
 - ii. Action allowed if not qualified use. The prohibition against retaliation does not prevent an Employer from taking reasonable action when a Covered Employee's use of sick time is not for a qualified use.

9. Time Tracking

- a. Pathway's requires all Employees to track hours working in the City of Pittsburgh geographic area.
 - i. Eligible hours must be tracked on a weekly basis and turned in with timesheets in conjunction with payroll processing

Failure to comply with all policies and procedure will result in disciplinary action up to and including termination.