

PENNSYLVANIA HANDBOOK **ADDENDUM**

PITTSBURGH PREGNANCY ACCOMMODATION

In compliance with the Pittsburgh City Code, COMPANY will not discriminate against employees because of pregnancy, childbirth or related medical conditions and events. The COMPANY will endeavor to reasonably accommodate employees affected by pregnancy, childbirth or related medical conditions as well as employees who are the partner of a person who is pregnant or affected by a related medical condition in order to allow the employee to perform the essential duties of the job unless doing so will impose an undue hardship on the business.

Accommodations

Such accommodations may include but are not limited to: modifications or adjustments to the employee's work station, including seating accommodations; work schedule modifications, including additional water, bathroom, rest and lactation-related breaks; modified job requirements or job reassignment, including light duty work; or providing unpaid leave.

Request for Accommodation

Any employees who need to request an accommodation due to pregnancy, childbirth or a related medical condition should contact Human Resources. If employees who requested an accommodation have not received an initial response within five (5) business days, employees should contact Human Resources.

After receiving a request for an accommodation due to pregnancy, childbirth or a related medical condition or otherwise becoming aware that employees require such an accommodation, the COMPANY will engage in an interactive process with employees. Even if employees have not formally requested an accommodation, the COMPANY may initiate an interactive process under certain circumstances, such as when the COMPANY has knowledge that the employee's performance at work has been negatively affected and also has a reasonable basis to believe that the issue is related to the employee's or their partner's pregnancy, childbirth or related medical condition, in compliance with applicable law.

Interactive Process

The interactive process may take place in person, by telephone or by electronic means such as e-mail. As part of the interactive process, the COMPANY will communicate with the individual in order to determine whether and how the COMPANY may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, the COMPANY will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the individual. The COMPANY is not required to provide the specific accommodation sought by an individual, provided the alternatives are reasonable and either meet the specific needs of the individual or specifically address the individual's limitations.

As part of the interactive process, the COMPANY reserves the right to request medical documentation, to the extent permitted by applicable law. If the COMPANY believes that the provided documentation is insufficient, and before denying the request based on insufficient documentation, the COMPANY reserves the right to request additional documentation from the employee or, upon the employee's written consent, speak with the health care provider who provided the documentation. As applicable, the employee whose time off is covered by the Family Medical Leave Act (FMLA) may also be required to provide medical documentation, depending on the circumstances of the leave request, pursuant to federal law.

At the conclusion of the interactive process, the COMPANY will provide written notice to the employee in a timely manner indicating that the COMPANY:

Commented [MU1]: 7.2024

Policy Update: **PHILADELPHIA NOTICE REGARDING UNPAID WAGES** - The indicated max amount has been updated.

- will be able to offer and provide a reasonable accommodation,
- will not be able to provide a reasonable accommodation to the employee because there is no accommodation available that will not cause an undue hardship on COMPANY operations, or
- will not be able to provide a reasonable accommodation to the employee because no accommodation exists that will allow the employee to perform the essential requisites of the job.

The COMPANY will not retaliate or take any adverse employment action against any employee because the employee requested a reasonable accommodation under this policy, opposed a discriminatory act prohibited by the Code, made a complaint of discrimination under the Code; or testified or otherwise assisted or participated in an investigation by or proceeding before the Pittsburgh Commission on Human Relations.

Employees with questions or concerns regarding this policy should contact Human Resources.

PITTSBURGH PAID SICK TIME

Eligibility

COMPANY provides paid sick time to employees who work in the City of Pittsburgh for at least 35 hours in the calendar year in accordance with the Paid Sick Days Act (the “Ordinance”). For employees who work in the City of Pittsburgh who are eligible for sick time under the general Paid Time Off policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Paid Time Off policy and/or any other applicable sick time/leave law or ordinance.

Accrual

Employees begin accruing paid sick time pursuant to this policy on March 15, 2020, or at the start of employment, whichever is later. Employees accrue one (1) hour for every 35 hours worked, up to a maximum accrual of 40 hours each calendar year. Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case paid sick time accrues based upon that normal workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may use paid sick time on the 90th calendar day following commencement of employment. Paid sick time may be used in in the smaller of hourly increments or the smallest increment that the payroll system uses to account for absences or use of other time. Employees may not use more than their maximum hours of paid sick time in any calendar year.

Employees may use paid sick time for absences due to:

- their mental or physical illness, injury or health condition; their personal need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; their personal need for preventive medical care;
- care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care; or
- closure of the employee's place of business by order of a public official due to a public health emergency or the employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, or care for a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the family member's presence in the community may jeopardize the health of others because of the family

member's exposure to a communicable disease, whether or not the family member has actually contracted the communicable disease.

For purposes of this policy, family member includes:

- a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis;
- a biological, foster, stepparent or adoptive parent or legal guardian of the employee or the employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child;
- a person to whom the employee is legally married under the laws of any state;
- a grandparent or spouse or domestic partner of a grandparent;
- a grandchild;
- a biological, foster or adopted sibling;
- a domestic partner; or
- any individual for whom the employee has received oral permission from the employer to care for at the time of the employee's request to make use of sick time.

An employee's use of paid sick time will not be conditioned upon searching for or finding a replacement worker.

Unless the employee advises otherwise, the COMPANY will assume, subject to applicable law, that employees want to use available paid sick time for absences for reasons set forth above and they will be paid for such absences to the extent they have paid sick time available.

Notice and Documentation

Requests to use paid sick time may be made orally, in writing, or electronically (e.g., via email), and whenever possible, the request must include the expected duration of the absence. When the use of paid sick time is foreseeable, the employee is required to make a good faith effort to provide notice of the need for such time to Human Resources and/or the Employee's Supervisor seven (7) days in advance of the use of the paid sick time or as early as possible under the circumstances and make a reasonable effort to schedule the use of earned paid sick time in a manner that does not unduly disrupt operations. When the use of paid sick time is not foreseeable, the employee is required to provide notice to Human Resources and/or the Employee's Supervisor at least one (1) hour prior to the start of the workday or as soon as possible under the circumstances.

For paid sick time of three (3) or more full consecutive days, the COMPANY may require reasonable documentation that the paid sick time has been used for a covered purpose. Documentation signed by a health care professional indicating that sick time is necessary shall be considered reasonable documentation. Documentation provided to the COMPANY should not explain the nature of the illness or health condition.

Payment

Paid sick time will be paid at the same base rate of pay and with the same benefits, including health care benefits, as the employee would have earned at the time of their use of the paid sick time, but no less than the applicable minimum wage, unless otherwise required by applicable law. Use of paid sick time is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

Employees may carry over up to 40 hours of accrued, unused paid sick time to the following calendar year. Unused paid sick time will not be paid at separation.

Enforcement and Retaliation

The COMPANY prohibits retaliation or discrimination against employees because they have exercised rights protected under the Ordinance. Such rights include but are not limited to the right to use sick time pursuant to the Ordinance; the right to file a complaint with the Mayor's Office of Equity; the right to inform any person about any employer's alleged violations of this Ordinance; and the right to inform employees of their potential rights under the Ordinance. Employees may file a complaint if sick time is denied or if they are subjected to retaliation for requesting or taking sick time.

Questions about rights and responsibilities under the law can be answered by Human Resources.

PITTSBURGH: VICTIMS OF DOMESTIC VIOLENCE PROTECTION

The City's anti-discrimination law has been revised to include employees' "status as a victim of domestic violence" and as such, COMPANY will reasonably accommodate employees who are domestic violence victims, unless doing so would cause undue hardship on the financial or administrative operation of the Company.

Examples of reasonable accommodations include:

- (a) modifying the layout of a workspace;
- (b) adjusting work schedules;
- (c) allowing for leave for survivors of domestic violence;
- (d) enhancing policies to ensure security;
- (e) transfer or reassignment;
- (f) change of a telephone number or email;
- (g) installation of a lock/security devices or equipment; and
- (h) developing code words to allow employees to safely signal a need for help such as security or police.

Employees needing accommodation are required to request such and engage their Supervisor and/or Human Resources so that parties can engage in the interactive process under the Company's ADA Policy and procedures.

PHILADELPHIA NOTICE REGARDING UNPAID WAGES

Employees who work in Philadelphia may file a wage theft complaint or bring a civil action for unpaid wages pursuant to Philadelphia's Wage Theft Ordinance (Ordinance).

A signed wage theft complaint, in which the alleged unpaid wages are equal to or greater than the minimum threshold amount of \$100 and equal to or less than the maximum threshold amount of \$10,000, must be filed with the wage theft coordinator in the Mayor's Office of Benefits and Wage Compliance less than three (3) years from the date the alleged wage theft occurred.

Retaliation for exercising rights provided under the Ordinance, such as filing a complaint or bringing a civil action, is prohibited.

PHILADELPHIA: PAID SICK TIME

Eligibility

COMPANY provides paid sick time to employees who work in Philadelphia for at least 40 hours in a year. For employees who work in Philadelphia who are eligible for sick time under the general Paid Time Off policy and/or any other applicable sick time/leave ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Paid Time Off policy and/or any other applicable sick time/leave ordinance.

Accrual

Commented [2]: March 2022:

Pittsburgh Issues Important Guidance for Employers Related to Protections for Victims of Domestic Violence

Employers must document all efforts to initiate, engage in, and conclude the interactive process. The guidance also reminds employers that survivors of domestic violence may not have access to "readily apparent proof of violence" and therefore specifically notes that it can be harmful for the employer to demand "proof." Retaliation is prohibited against employees who request reasonable accommodations related to domestic violence.

The Bill found here

Commented [3]: Policy added 6.2023

Commented [4]: updated max amount 7.2024

Employees begin accruing paid sick time pursuant to this policy on May 13, 2015 or at the start of employment, whichever is later. Eligible employees will accrue one (1) hour of paid sick time for every 40 hours worked, up to a maximum accrual of 40 hours each calendar year. Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Employees may begin using paid sick time on the 90th calendar day of employment. Paid sick time may be used in minimum increments of one (1) hour. The employee may not use more than 40 hours of accrued paid sick time in any calendar year.

The employee may use paid sick time for the following qualifying absences:

1. the employee's mental or physical illness, injury or health condition; the employee's need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; the employee's need for preventive medical care;
2. care of a family member (including a biological, adopted or foster child, stepchild or legal ward or a child to whom the employee stands in loco parentis; a biological, foster, stepparent or adoptive parent or legal guardian of the employee or the employee's spouse or a person who stood in loco parentis when the employee was a minor child; a person to whom the employee is legally married under the laws of Pennsylvania; a grandparent or spouse of a grandparent; a grandchild; a biological, foster or adopted sibling or spouse of a biological, foster or adopted sibling; and a life partner as defined under the Philadelphia Code) with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care; or
3. an absence necessary due to domestic abuse, sexual assault or stalking, provided the leave is to allow the employee to obtain the medical attention needed for the employee or the family member to recover from physical or psychological injury or disability caused by domestic or sexual violence or stalking; services from a victim services organization; psychological or other counseling; relocation due to the domestic or sexual violence or stalking; or legal services or remedies, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from the domestic or sexual violence.

Notice and Documentation

If the need for paid sick time is foreseeable, the employee must provide written or oral notice in advance of the use of the paid sick time and make a reasonable effort to schedule the use of paid sick time in a manner that does not unduly disrupt business operations. For all other absences, the employees must provide notice before the start of their scheduled work hours, or as soon as practicable if the need arises immediately before or after the employee has reported for work. When possible, employees should indicate the expected duration of their absence.

For paid sick time of more than two (2) consecutive days, the employee may be required to provide reasonable documentation that the sick time is covered. For absences due to the purposes described in 1 and 2 above, documentation signed by a health care professional indicating that sick time is necessary shall be considered reasonable documentation. For absences due to the purposes described in 3 above, the following shall be considered reasonable documentation: documentation signed by a health care professional; a police report indicating that the employee was a victim of domestic abuse, stalking or sexual assault; a court order; or a signed statement from a representative of a victim services organization affirming that the employee was a victim of domestic abuse, stalking or sexual assault. The required documentation need not explain the nature of the illness or the details of the violence.

Payment

Paid sick time will be paid at the same rate as the employee earns at the time the employee uses such time. Use of paid sick time is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

The employee may carry over up to 40 hours of accrued, unused paid sick time under this policy to the following calendar year. Accrued but unused paid sick time under this policy will not be paid at separation.

Enforcement and Retaliation

COMPANY prohibits any threat, discharge, suspension, demotion, other adverse employment action against the employee for the exercise of any right under this policy; or interference with, or punishment for, participating in any manner in an investigation, proceeding or hearing under this policy.

If employees have any questions regarding this policy, they should contact Human Resources

PHILADELPHIA: DOMESTIC VIOLENCE, SEXUAL ASSAULT OR STALKING LEAVE

Employees who are victims of domestic violence, sexual assault or stalking or who have a family or household member who is a victim of domestic violence, sexual assault or stalking, may take up to eight (8) workweeks of unpaid leave in a 12-month period. For purposes of this policy, "family or household members" include spouses or persons who have been spouses, persons living as spouses or who lived as spouses, parents and children, other persons related by consanguinity or affinity, current or former sexual or intimate partners, persons who share biological parenthood or "Life Partners" (as defined under the Philadelphia Code).

Leave under this policy may be taken to:

1. seek medical attention for, or recovering from, physical or psychological injuries caused by domestic violence, sexual assault or stalking to the employee or the employee's family or household member;
2. obtain services from a victim services organization for the employee or the employee's family or household member;
3. obtain psychological or other counseling for the employee or the employee's family or household member;
4. participate in safety planning, temporarily or permanently relocating or taking other actions to increase the safety of the employee or the employee's family or household member from future domestic violence, sexual assault or stalking or to ensure economic security; or
5. seek legal assistance or remedies to ensure the health and safety of the employee or the employee's family or household member, including preparing for or participating in any civil or criminal legal proceeding related to or derived from domestic violence, sexual assault or stalking.

Leave may be taken intermittently or on a reduced work schedule.

Employees must provide at least 48 hours' advance notice of their intention to take leave under this policy, unless providing such notice is not practicable. The COMPANY may require certification verifying that the employee or their family or household member is a victim of domestic violence, sexual assault or stalking and the leave is a qualifying purpose. Employees can satisfy the certification requirement by providing a sworn statement and any of the following:

Commented [5]: The entitlement is eight (8) workweeks if an employer has 50 or more employees nationally (currently or in the prior calendar year). If the number of employees is less than 50 nationally, in both this and the prior calendar year, the entitlement can be reduced to four (4) workweeks.

- documentation from the employee, agent or volunteer of a victim services organization, an attorney, a member of the clergy or a medical or other professional from whom the employee or the employee's family or household member has sought assistance in addressing domestic violence, sexual assault or stalking or the effects of the violence;
- a police or court record; or
- other corroborating evidence.

Employees who fail to provide this certification within 45 days of the COMPANY 's request may be subject to disciplinary action.

Any information provided by the employee pursuant to this policy will be kept confidential unless disclosure is requested or consented to in writing by the employee or otherwise required by applicable federal, state, or local law.

During an approved leave, the COMPANY will maintain the employee's health benefits as if the employee continued to be actively employed. However, if the employee fails to return from leave after the leave entitlement has expired, and the reason for the failure to return is unrelated to the continuation, recurrence or onset of domestic violence, sexual assault or stalking, the COMPANY may recover from the employee the premium it paid to maintain the employee's coverage during the period of leave.

Employees may substitute any accrued paid time off for the unpaid leave provided under this policy, but substitution does not extend the length of the leave. Leave under this policy will run concurrently with leave under applicable federal, state, or local laws to the maximum extent permitted under such applicable law.

Employees who take leave under this policy will be returned to the position they held at the time when the leave commenced, or to a position with equivalent benefits, pay and other terms and conditions of employment.

Employees with questions or concerns regarding this policy can contact the Head of Human Resources and/or Human Resources.

Allegheny County: PAID SICK TIME

Eligibility

COMPANY provides paid sick time to employees who work in Allegheny County for at least 40 hours in a year. For employees who work in Allegheny County who are eligible for sick time under the general Paid Time Off policy and/or any other applicable sick time/leave ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Paid Time Off policy and/or any other applicable sick time/leave ordinance.

Accrual

Employees begin accruing paid sick time pursuant to this policy on December 15, 2021 or at the start of employment, whichever is later. Eligible employees will accrue one (1) hour of paid sick time for every 35 hours worked, up to a maximum accrual of 40 hours each calendar year. Exempt employees will be presumed to work 40 hours in each workweek for accrual purposes unless their normal workweek is less than 40 hours, in which case accrual will be based on that normal workweek. For purposes of this policy, the calendar year is the consecutive 12-month period beginning January 1 and ending on December 31.

Usage

Commented [6]: Effective 1.1.22
Although the Act defines "employer" broadly to cover virtually all private employers that are situated in or conduct business in Allegheny County, it requires only employers with 26 or more employees (working anywhere) to provide paid sick leave.

Employees may begin using paid sick time on the 90th calendar day of employment. Paid sick time may be used in minimum increments of one (1) hour. The employee may not use more than 40 hours of accrued paid sick time in any calendar year.

Employees to use accrued paid sick time for any of the following reasons:

- The employee's own mental or physical illness, injury, or health condition, including diagnostic, treatment, and preventive medical care;
- Care of a family member with a mental or physical illness, injury, or health condition, including diagnostic, treatment, and preventive medical care;
- Closure of the employee's place of business by order of a public official due to a public health emergency;
- Care for a child whose school or place of care has been closed by order of a public official due to a public health emergency; and
- Care for a family member when health authorities or a health care provider have determined that the family member's presence in the community would jeopardize the health of others because of the family member's exposure to a communicable disease, whether or not the family member has actually contracted the communicable disease.

The Act defines "family member" very broadly. It includes:

- A biological, adopted, foster, or stepchild; legal ward; child of a domestic partner; or child to whom the employee stands *in loco parentis*;
- A biological, foster, adoptive, or stepparent or legal guardian of an employee or of an employee's spouse or domestic partner, or person who stood *in loco parentis* to an employee when they were a minor;
- A spouse or domestic partner;
- A grandparent or spouse or domestic partner of a grandparent;
- A grandchild;
- A biological, adopted, or foster sibling; and
- Any person for whom the employee has received permission from the employer to care for at the time the employee requests to use paid sick time.

The Act limits the permitted uses of paid sick time to those listed above and, unlike many other paid sick time laws, does not contain any "safe time" component.

Notice and Documentation

If the need for paid sick time is foreseeable, the employee must provide written or oral notice in advance of the use of the paid sick time and make a reasonable effort to schedule the use of paid sick time in a manner that does not unduly disrupt business operations. For all other absences, the employees must provide notice before the start of their scheduled work hours, or as soon as practicable if the need arises immediately before or after the employee has reported for work. When possible, employees should indicate the expected duration of their absence.

For paid sick time of more than three (3) or more consecutive days, the employee may be required to provide reasonable documentation that the sick time is covered. The required documentation need not explain the precise nature of the illness or matter.

Payment

Paid sick time will be paid at the same rate as the employee earns at the time the employee uses such time. Use of paid sick time is not considered hours worked for purposes of calculating overtime.

Carryover and Payout

The employee may carry over up to 40 hours of accrued, unused paid sick time under this policy to the following calendar year. Accrued but unused paid sick time under this policy will not be paid at separation. Any unused time will be restored and made available for immediate use if an employee is rehired within six months.

Enforcement and Retaliation

COMPANY prohibits any threat, discharge, suspension, demotion, other adverse employment action against the employee for the exercise of any right under this policy; or interference with, or punishment for, participating in any manner in an investigation, proceeding or hearing under this policy.

If employees have any questions regarding this policy, they should contact Human Resources