

LEGISLATIVE REFERENCE BUREAU

2015D00629AJB:JSL

L.R.B. Form No. 4 (Rev. 3/25/10)

No. _____

LEGISLATIVE REFERENCE BUREAU

AN ACT

Amending Title 53 (Municipalities Generally) of the Pennsylvania Consolidated Statutes, in preemptions, providing for leave and compensation mandates.

INTRODUCED _____ 20_____

By _____ District NO. _____

By _____ District NO. _____

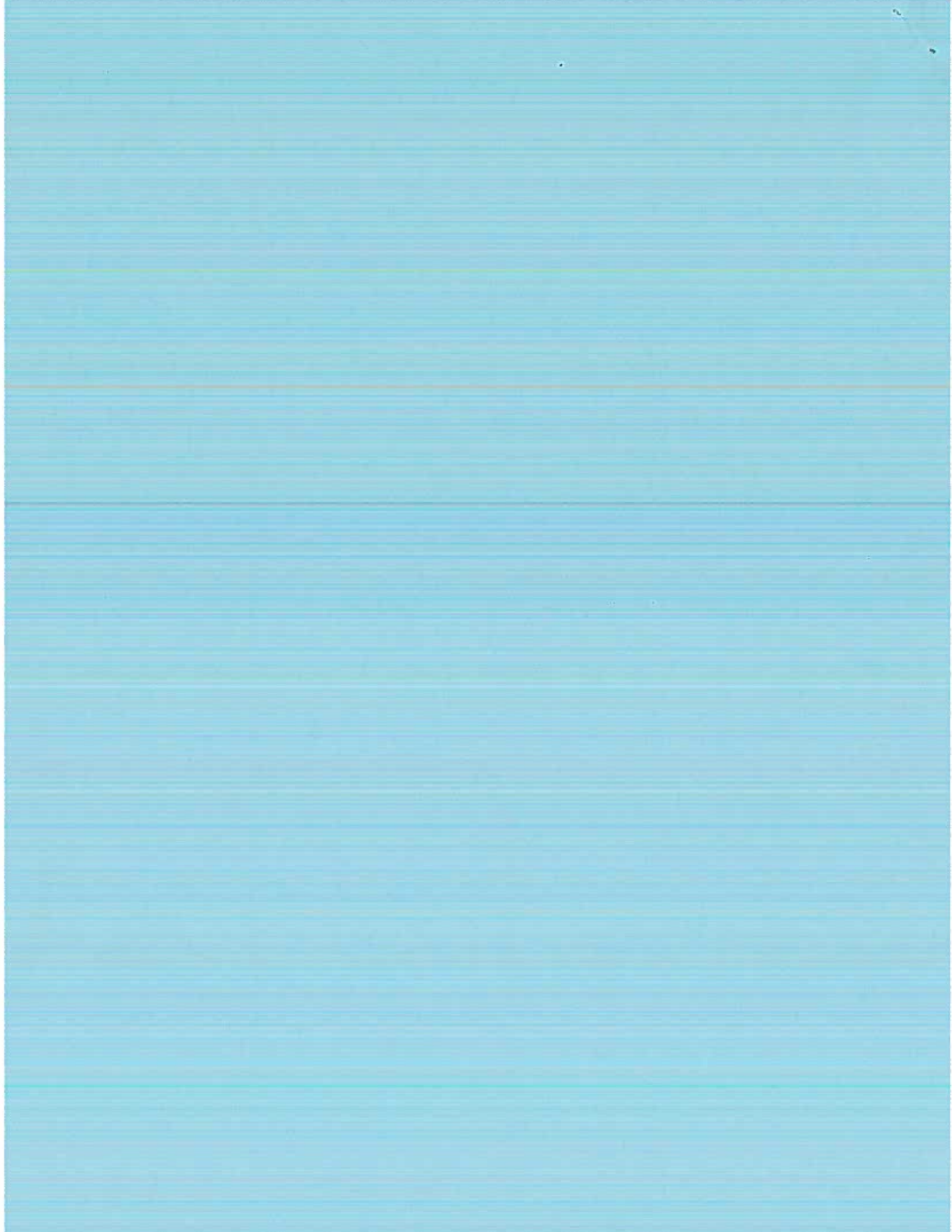
By _____ District NO. _____

By _____ District NO. _____

See next page for additional co-sponsors.

Referred to Committee on	
Date _____	20_____
Reported _____	20_____
As Committed-Amended	
Recommendation	

By Hon. _____	



AN ACT

1 Amending Title 53 (Municipalities Generally) of the Pennsylvania
2 Consolidated Statutes, in preemptions, providing for leave
3 and compensation mandates.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 53 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 305. Leave and compensation mandates.

9 (a) General rule.--A municipality may not:

10 (1) enact or administer a mandate requiring an employer
11 to provide an employee or class of employees with vacation or
12 other forms of leave from employment, paid or unpaid, that is
13 not required by Federal or State law; or

14 (2) require an employer to compensate an employee for
15 any vacation or other forms of leave for which Federal or
16 State law does not require the employee to be compensated.

17 (b) Inconsistent mandate.--This section may not be construed
18 to invalidate a mandate enacted by a municipality prior to the

1 effective date of this section. A mandate enacted by a
2 municipality that is inconsistent with this section and enacted
3 after the effective date of this section is void.

4 (c) Applicability.--This section shall not apply to a
5 mandate enacted by a municipality affecting vacation or other
6 forms of leave for an employee or class of employees of the
7 municipality.

8 (d) Construction.--The provisions of this section may not be
9 construed to establish a new mandate relating to compensation,
10 vacation or other forms of leave from employment by a
11 municipality.

12 (e) Definitions.--As used in this section, the following
13 words and phrases shall have the meanings given to them in this
14 subsection unless the context clearly indicates otherwise:

15 "Employee." As defined in section 3 of the act of January
16 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968.

17 "Employer." As defined in section 3 of The Minimum Wage Act
18 of 1968.

19 "Municipality." A county, city, borough, incorporated town,
20 township, home rule charter, optional charter or optional plan
21 municipality, school district or a similar general purpose unit
22 of government that may be created by the General Assembly.

23 Section 2. This act shall take effect immediately.