

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 307 Session of  
1997

INTRODUCED BY KASUNIC, ARMSTRONG, STOUT, RHOADES, COSTA,  
STAPLETON, SCHWARTZ, HART, HELFRICK, AFFLERBACH AND O'PAKE,  
JANUARY 29, 1997

REFERRED TO LABOR AND INDUSTRY, JANUARY 29, 1997

AN ACT

1 Prohibiting termination and discipline of an employee for  
2 failing to report to work during a state of emergency; and  
3 providing penalties.

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

6 Section 1. Definitions.

7 The following words and phrases when used in this act shall  
8 have the meanings given to them in this section unless the  
9 context clearly indicates otherwise:

10 "Discipline." The taking of any action against an employee  
11 which adversely affects his regular pay, his job status or  
12 opportunity for promotion or his right to any benefit granted by  
13 the employer to other similarly situated employees.

14 Section 2. Termination or discipline of employees.

15 An employer may not terminate or discipline an employee for  
16 failing to report to work due to a closure of the roads in the  
17 county of the employer's place of business or the county of the  
18 employee's residence resulting from a state of emergency

1 declared by a governmental body.

2 Section 3. Payment not required.

3 An employer shall not be required to pay an employee for a  
4 work day on which the employee fails to report to work due to  
5 road closures.

6 Section 4. Penalties.

7 (a) Pay.--An employer who violates this act shall reimburse  
8 employees for the monetary losses resulting from any discipline.

9 (b) Court costs.--If an employer is adjudicated of violating  
10 this act, the employer shall be liable for all attorney fees and  
11 court costs.

12 Section 5. Applicability.

13 This act shall not affect drivers of emergency vehicles,  
14 police, emergency service personnel, hospital and nursing home  
15 staffs, pharmacists, essential health care professionals, public  
16 utility personnel, road crews and oil and milk truck delivery  
17 personnel.

18 Section 6. Effective date.

19 This act shall take effect in 60 days.