

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL**No. 1807** Session of
2013

INTRODUCED BY GROVE, JAMES, AUMENT, PICKETT, EVERETT, FEE,
SWANGER, BARRAR, R. MILLER, HELM, TALLMAN, MASSER, QUINN,
MILNE, BLOOM, MARSICO AND DENLINGER, OCTOBER 23, 2013

AS REPORTED FROM COMMITTEE ON LABOR AND INDUSTRY, HOUSE OF
REPRESENTATIVES, AS AMENDED, NOVEMBER 18, 2013

AN ACT

1 Providing Statewide uniformity regarding vacation and other
2 forms of leave mandated by political subdivisions.

3 The General Assembly finds that any mandate requiring an
4 employer to provide vacation and other forms of leave to an
5 employee or class of employees in this Commonwealth is a matter
6 of Statewide concern and that the enactment of any mandate by a
7 political subdivision in this Commonwealth requiring an employer
8 to provide an employee or class of employees with vacation or
9 other forms of leave, paid or unpaid, that is not required by
10 Federal or State law, or the administration by a political
11 subdivision of Federally mandated or State-mandated leave in a
12 manner incongruous with Federal and State law, would defeat
13 Statewide uniformity.

14 The General Assembly of the Commonwealth of Pennsylvania
15 hereby enacts as follows:

16 Section 1. Short title.

17 This act shall be known and may be cited as the Leave Policy

1 Act.

2 Section 2. Definitions.

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

6 "Employee." As defined in section 3 of the act of January
7 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968.

8 "Employer." As defined in section 3 of the act of January
9 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968.

10 "Political subdivision." Any county, city, borough,
11 incorporated town, township, school district, vocational school
12 district and county institution district.

13 Section 3. Mandate prohibition.

14 A political subdivision in this Commonwealth may not enact or
15 administer a mandate requiring an employer to provide an
16 employee or class of employees with vacation or other forms of
17 leave from employment, paid or unpaid, that is not required by
18 Federal or State law, and may not require an employer to
19 compensate an employee for any vacation or other forms of leave
20 for which Federal or State law does not require the employee to
21 be compensated.

22 Section 4. Applicability.

23 This act does not apply to any mandate enacted by a political
24 subdivision of this Commonwealth affecting vacation or other
25 forms of leave for an employee or class of employees of the
26 political subdivision.

27 Section 5. Inconsistent mandate.

28 ~~Any mandate enacted by a political subdivision of this~~ <--
29 ~~Commonwealth that is inconsistent with this act and that is in~~
30 ~~effect on the effective date of this act is void.~~

1 NOTHING IN THIS ACT SHALL BE CONSTRUED TO INVALIDATE A
2 MANDATE THAT IS ENACTED BY A POLITICAL SUBDIVISION PRIOR TO
3 JANUARY 1, 2014. ANY MANDATE ENACTED BY A POLITICAL SUBDIVISION
4 THAT IS INCONSISTENT WITH THIS ACT AND ENACTED AFTER JANUARY 1,
5 2014, IS VOID.

6 Section 6. Effective date.

7 This act shall take effect immediately.