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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 625 Session of  
2019

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INTRODUCED BY BRIGGS, SOLOMON, DONATUCCI, KINSEY, MURT,  
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McCARTER, DALEY, OTTEN, McCLINTON, MULLINS AND NEILSON,  
FEBRUARY 28, 2019

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 28, 2019

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AN ACT

1 Providing for paid family and medical leave for eligible  
2 employees under certain circumstances and for regulations by  
3 the Department of Labor and Industry.

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

6 Section 1. Short title.

7 This act shall be known and may be cited as the Paid Family  
8 Leave Act.

9 Section 2. Definitions.

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

13 "Department." The Department of Labor and Industry of the  
14 Commonwealth.

15 "Eligible employee." As defined in the FMLA.

16 "Employer." A person engaged in commerce or an industry or  
17 activity affecting commerce that employs at least four employees

1 in this Commonwealth for each working day during each of 20 or  
2 more calendar workweeks in the current or preceding calendar  
3 year. The term includes:

4 (1) A person who acts, directly or indirectly, in the  
5 interest of an employer to any of the employees of the  
6 employer and any successor in interest of the employer.

7 (2) The Commonwealth and any of its political  
8 subdivisions and municipal authorities.

9 "FMLA." The Family and Medical Leave Act of 1993 (Public Law  
10 103-3, 29 U.S.C. § 2601 et seq.).

11 Section 3. Eligibility.

12 (a) General rule.--An employer subject to this section shall  
13 provide not less than 12 weeks of paid leave to an eligible  
14 employee to care for a child during the period extending from  
15 the beginning of a pregnancy to one year after the birth,  
16 adoption or placement of the child.

17 (b) Protections.--An eligible employee who takes leave  
18 provided under subsection (a) is entitled to the same  
19 protections and rights that an eligible employee is entitled to  
20 under the FMLA, including protection from discrimination and  
21 interference, the right to reinstatement and the right to  
22 continuation of health care benefits.

23 (c) Amount of leave and benefits.--

24 (1) The amount of leave taken by an eligible employee  
25 under this section during a 12-month period shall be counted  
26 against the amount of leave the eligible employee is entitled  
27 to under the FMLA and may be taken at any time from the  
28 beginning of pregnancy to up to one year after birth,  
29 adoption or placement.

30 (2) An eligible employee entitled to paid leave under

1 this act shall be paid, during the period of leave, the full  
2 rate of pay the eligible employee received before the period  
3 of leave commences or, if the rate of pay is based on an  
4 hourly rate, the weekly average applicable during the four  
5 weeks before the period of leave commences.

6 (3) An employer of an eligible employee entitled to paid  
7 leave under this act may not, during the period of leave,  
8 terminate, reduce or in any manner diminish the other  
9 benefits or emoluments of employment to which the eligible  
10 employee was entitled before the period of leave commences.

11 Section 4. Regulation.

12 The department may promulgate regulations necessary to  
13 implement the provisions of this act.

14 Section 5. Effective date.

15 This act shall take effect in 60 days.