
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 64 Session of
2023

INTRODUCED BY ROAE, GLEIM, HAMM, IRVIN, KAUFFMAN, KEEFER,
M. MACKENZIE, R. MACKENZIE, ROWE, WARNER AND ZIMMERMAN,
MARCH 7, 2023

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MARCH 7, 2023

AN ACT

1 Establishing causes of action for State employees who were
2 terminated from employment or missed pay due to the
3 employee's COVID-19 vaccination status.

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 COVID-19
8 Vaccination Status Justice for State Employees 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 "COVID-19." The coronavirus disease 2019, an infectious
14 disease caused by severe acute respiratory syndrome coronavirus
15 2, that was first identified during December 2019 in Wuhan,
16 China.

17 "Employer." An entity that employs a State employee.

18 "State employee." An individual employed by:

- 1 (1) A Commonwealth agency or authority.
- 2 (2) A State board or commission.
- 3 (3) The Pennsylvania National Guard.
- 4 (4) The Judicial branch of the Commonwealth.
- 5 (5) The Legislative branch of the Commonwealth.

6 Section 3. Reinstatement of employment cause of action.

7 A State employee whose employment was terminated due to a
8 lack of a COVID-19 vaccination may bring a civil action against
9 the State employee's employer for reinstatement of the
10 employee's position, including seniority, job title and pay
11 grade.

12 Section 4. Back pay cause of action.

13 A State employee who was terminated or missed work without
14 pay due to a lack of a COVID-19 vaccination may bring a civil
15 action against the State employee's employer to recover back
16 pay.

17 Section 5. Effective date.

18 This act shall take effect in 60 days.