

Judge Strikes Down Pittsburgh Paid Sick Days Act

By **Sheri L. Giger** and **Bethany Swaton Wagner**

December 23, 2015

The Court of Common Pleas of Allegheny County has invalidated the Pittsburgh Paid Sick Days Act (“PSDA”), the ordinance requiring all employers of employees within the Pittsburgh city limits to provide paid sick leave to all full- and part-time employees.

Effective immediately, employers should cease implementation of any policies to comply with the PSDA. Although it is unclear if the City will appeal the ruling, at this time, the PSDA will not go into effect.

In September, the Pennsylvania Restaurant and Lodging Association joined several local restaurants in challenging the PSDA, arguing that the City exceeded its municipal authority in enacting the PSDA. (For more information, see our article, [Lawsuit Delays Effective Date of Pittsburgh Paid Sick Days Act to March 2016](#).) On December 22, 2015, the Court formally struck down the PSDA, agreeing with the Association and finding support for its determination in a 2009 Pennsylvania Supreme Court decision. There, the high court ruling overturned another Pittsburgh employment ordinance, finding that Pennsylvania state law prohibits municipalities like Pittsburgh from regulating businesses by determining their duties, responsibilities, or requirements.

We will provide further updates on the PSDA, including whether an appeal is filed. If you have any questions, please contact a Jackson Lewis attorney.

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December 9, 2015



No GINA Violation for Alternate Duty Assignment after Firefighter Refused Compliance with ‘Mandatory Wellness Program’

The City of San Antonio Fire Department did not violate the Genetic Information Nondiscrimination Act (GINA) when it placed a firefighter on alternate duty after he failed to comply with a mandatory wellness program that evaluated fitness for duty, the federal appeals in New Orleans has ruled. *Ortiz v. City of San Antonio Fire Dep’...* [Read More](#)

December 9, 2015



Puerto Rico Legislature Approves Bill to Expand Paid Sick Leave Use

Seeking to allow non-exempt employees to use paid sick leave for the illnesses of their family members and others, the Puerto Rico Legislature has sent a bill to Governor Alejandro García-Padilla to so amend the Commonwealth’s existing paid sick leave law. If House Bill 695 is approved, the amendments would become effective... [Read More](#)

December 3, 2015



Massachusetts Earned Sick Time Law: Safe Harbor Expires December 31, 2015; Full Compliance Deadline is January 1, 2016

Employers operating under the Massachusetts Earned Sick Leave Law “safe harbor” should prepare to fully comply with the Law beginning January 1, 2016. Background The Massachusetts Earned Sick Leave Law became effective July 1, 2015. Under the Law, all employees who work primarily in Massachusetts are entitled to accrue... [Read More](#)

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