

Can I Get Paid Sick Leave Related to COVID-19?

Yes, most workers in Philadelphia – regardless of immigration status – can get paid sick leave to take time off from work for reasons related to coronavirus. You may qualify for paid leave under [The Families First Coronavirus Response Act \(FFCRA\)](#) and/or the [Philadelphia Sick Leave Ordinance](#)

FAMILIES FIRST CORONAVIRUS RESPONSE ACT

To take leave under the FFCRA, you must: 1) **Still be employed** and 2) **Work for an employer with fewer than 500 employees**

The FFCRA provides 2 weeks (up to 80 hours) of **fully paid** sick leave if you are unable to work because:

- You are subject to a quarantine or isolation order related to COVID-19;
- Your doctor tells you to self-quarantine; or
- You have COVID-19 symptoms and are seeking a medical diagnosis.

The FFCRA provides 2 weeks (up to 80 hours) of sick leave, **paid at 2/3 of your normal pay rate** if you're unable to work because:

- You are staying home with your child because their school or daycare is closed; or
- You are taking care of someone else whose doctor told them to self-quarantine.

Your employer can't force you to use other paid time off before you use your 2 weeks of FFCRA sick leave.

If you are unable to work because you are taking care of your child because their school or daycare is closed, you can also take up to 10 additional weeks of leave at 2/3 of your normal pay rate. You can only do this if you were at your job longer than 30 days before the leave starts. Your employer may require you to use any existing PTO concurrently with this leave.

If you are denied leave in violation of the FFCRA, you can file a complaint with the US Department of Labor's Wage and Hour Division call 1-866-487-9243.

If you *don't* qualify for paid leave under the FFCRA, you may still qualify for paid leave under the Philadelphia Sick Leave Ordinance (see page 2).

PHILADELPHIA PAID SICK LEAVE ORDINANCE

After you take leave under the FFCRA, or if you don't qualify for leave under the FFCRA, you can use any available paid sick time under the [Philadelphia Paid Sick Leave Ordinance](#) for reasons related to COVID-19. Your employer may give you more sick time than the Philadelphia law requires, so you should find out their policy.

To get paid sick leave under the Philadelphia law:

- You must have been at your job for at least 90 days.
- You must work at least 40 hours per year in Philadelphia.
- Your employer must have at least 10 employees. If there are fewer than 10, leave is unpaid.
- You can only use sick leave you have earned. You earn 1 hour of leave for every 40 hours worked.

This law **does not** apply to independent contractors, federal/state employees, seasonal workers, or union members.

The city agency in charge of enforcing this law requires your employer to pay you for any sick leave you have earned but not used BEFORE laying you off.

If you are denied leave under the Philadelphia law, you can file a complaint with the Mayor's Office of Labor [online](#) or call 215-686-0802.

Under both of these laws, your employer cannot retaliate against you for asking to take leave or using leave.

For more information about eligibility for these and other benefits, see CLS's [FAQ: COVID-19 and Workers' Rights](#) or visit clsphila.org.
Need Assistance? Call CLS at 215-981-3700

