

# One Minute Memo<sup>®</sup>



## Pittsburgh Paid Sick Leave Law Effective Date Delayed

By Joshua D. Seidman & William P. Perkins

While the City of Pittsburgh [previously announced](#) that its Paid Sick Days Act (“PSDA”) would become effective on January 11, 2016, a Court order, as part of a lawsuit against the City challenging the validity of the PSDA, has extended this date by 60 days, to March 11, 2016. The one-page order from the Allegheny County Court of Common Pleas broadly covers “implementation, application and enforcement” of the PSDA.

The lawsuit, filed by the Pennsylvania Restaurant and Lodging Association and a group of Pittsburgh businesses, alleged that the PSDA constitutes “an illegal exercise of municipal authority” by the City, thereby violating the Pennsylvania Municipalities Code and the Pennsylvania Constitution. [A similar lawsuit](#) challenging the constitutionality of the Trenton, NJ paid sick leave law was dismissed earlier this year.

If and when the PSDA becomes effective, it will require that employers with 15 or more employees provide each eligible employee with one hour of paid sick time for every 35 hours worked in Pittsburgh by the employee, up to 40 hours (i.e., five days) of paid sick leave per year. Moreover, for the first year that the PSDA is in effect, employers with fewer than 15 employees will be required to provide their employees with one hour of unpaid sick leave for every 35 hours worked in Pittsburgh, up to 24 hours (i.e., three days) of unpaid sick leave per year. After the PSDA’s first anniversary, employers with fewer than 15 employees will be required to provide paid sick leave at the same accrual rate and up to the same 24-hour cap as set forth during the PSDA’s inaugural year. For more information on the PSDA, see our earlier post [here](#).

It is unclear if the 60-day stay will allow enough time for the Court to resolve the ongoing dispute. As a result, it is possible that the Court could further extend the PSDA’s effective date in the future. We will be sure to advise you of any such developments as they occur.

In the meantime, employers with operations in Pittsburgh should review their sick leave or PTO policies to ensure that they meet at least the minimum requirements of the PSDA, as well as keep tabs on any developments in the lawsuit.

[Joshua Seidman](#) is an associate in Seyfarth’s New York office, and [William Perkins](#) is a partner in the firm’s New York office. If you would like further information, please contact your Seyfarth attorney, Joshua Seidman at [jseidman@seyfarth.com](mailto:jseidman@seyfarth.com), or William Perkins at [wperkins@seyfarth.com](mailto:wperkins@seyfarth.com).

[www.seyfarth.com](http://www.seyfarth.com)

Attorney Advertising. This One Minute Memo is a periodical publication of Seyfarth Shaw LLP and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. The contents are intended for general information purposes only, and you are urged to consult a lawyer concerning your own situation and any specific legal questions you may have. Any tax information or written tax advice contained herein (including any attachments) is not intended to be and cannot be used by any taxpayer for the purpose of avoiding tax penalties that may be imposed on the taxpayer. (The foregoing legend has been affixed pursuant to U.S. Treasury Regulations governing tax practice.)