

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1855 Session of
2025

INTRODUCED BY WAXMAN, HILL-EVANS, KINKEAD, GUZMAN, HOHENSTEIN,
MAYES AND SANCHEZ, SEPTEMBER 9, 2025

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, SEPTEMBER 10, 2025

AN ACT

1 Requiring an employer to provide paid leave to an employee due
2 to a climate-related emergency; establishing the Climate-
3 related Emergency Paid Leave Fund; and imposing duties on the
4 Department of Labor and Industry.

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

7 Section 1. Short title.

8 This act shall be known and may be cited as the Climate-
9 related Emergency Paid Leave Act.

10 Section 2. Findings and declarations.

11 (a) Legislative findings.--The General Assembly finds and
12 declares as follows:

13 (1) This Commonwealth is experiencing an increasing
14 number of climate-related emergencies, including floods,
15 wildfires, extreme heat events and severe storms.

16 (2) Climate-related emergencies create unsafe conditions
17 that can prevent workers from safely traveling to or
18 performing their jobs.

19 (3) Many Pennsylvania workers, particularly in low-wage

1 and hourly jobs, lack access to paid leave and are forced to
2 choose between personal safety and income.

3 (4) Providing guaranteed paid leave during climate-
4 related emergencies is a matter of public safety, economic
5 stability and climate resilience.

6 (b) Purpose.--The purpose of this act is to ensure that all
7 workers in this Commonwealth can protect themselves and their
8 families during a climate-related emergency without risking
9 financial hardship.

10 Section 3. Definitions.

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

14 "Climate-related emergency." A natural disaster or extreme
15 weather event attributable to or worsened by climate change,
16 including floods, wildfires, extreme heat, hurricanes, severe
17 storms or similar events that results in a:

18 (1) proclamation of disaster emergency by the Governor
19 under 35 Pa.C.S. § 7301(c) (relating to general authority of
20 Governor); or

21 (2) presidential declaration of a major disaster or
22 emergency under 42 U.S.C. Ch. 68 (relating to disaster
23 relief).

24 "Department." The Department of Labor and Industry of the
25 Commonwealth.

26 "Employ." To engage, suffer or permit to work. A worker is
27 considered an employee and not an independent contractor, unless
28 all three of the following conditions are satisfied:

29 (1) The worker is free from the control and direction of
30 the employer in connection with the performance of the work.

1 (2) The worker performs work that is outside the usual
2 course of the employer's business.

3 (3) The worker is customarily engaged in an
4 independently established trade, occupation or business of
5 the same nature as that involved in the work performed.

6 "Employee." A person employed by an employer.

7 "Employer." The Commonwealth, its political subdivisions and
8 their instrumentalities or any person, association, entity,
9 organization, partnership, business trust, limited liability
10 company or corporation that directly or indirectly, or through
11 an agent or any other person, employs or exercises any control
12 over the wages, hours or working conditions of an employee.

13 "Fund." The Climate-related Emergency Paid Leave Fund
14 established under section 5.

15 Section 4. Paid leave entitlement.

16 (a) Amount of leave.--An employer shall provide each
17 employee with up to 10 days of paid leave per calendar year
18 during a climate-related emergency.

19 (b) Rate of pay.--Paid leave under subsection (a) shall be
20 compensated at the employee's regular rate of pay, including any
21 applicable shift differentials.

22 (c) Eligibility.--An employee shall be eligible for paid
23 leave under this section if the employee is unable to work or
24 telework because of:

25 (1) personal injury, illness or property loss resulting
26 from a climate-related emergency;

27 (2) the need to care for a child, dependent or family
28 member affected by the climate-related emergency;

29 (3) compliance with an evacuation order, road closure or
30 public safety directive issued during the climate-related

emergency; or

(4) unsafe working conditions arising from a climate-related emergency.

(d) Immediate availability.--Paid leave under this act shall be available immediately upon the occurrence of a climate-related emergency and may not require prior accrual or a waiting period.

Section 5. Climate-related Emergency Paid Leave Fund.

(a) Establishment.--The Climate-related Emergency Paid Leave Fund is established as a fund in the State Treasury.

(b) Purpose.--The fund shall be used to reimburse employers for up to 50% of the costs of paid leave provided under this act.

(c) Source of money.--The fund shall consist of:

(1) Money appropriated by the General Assembly.

(2) Federal disaster relief money allocated for wage replacement.

(3) Other money made available from public or private sources.

(d) Administration.--The department shall administer the fund and promulgate regulations to govern the application and reimbursement process from the fund.

Section 6. Enforcement.

(a) Duty of department.--The department shall enforce this act.

(b) Complaints by employee.--An employee may file a complaint with the department if an employer fails to provide paid leave as required under this act.

(c) Penalties.--An employer that violates this act shall be subject to:

- 1 (1) Payment of all wages owed to an employee.
- 2 (2) An administrative penalty not to exceed \$1,000 per
- 3 violation.
- 4 (3) Other relief deemed appropriate by the department.

5 Section 7. Rules and regulations.

6 The department shall issue rules or promulgate regulations

7 necessary to carry out the provisions of this act within 12

8 months of the effective date of this section.

9 Section 8. Effective date.

10 This act shall take effect in 90 days.