
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1550 Session of
2021

INTRODUCED BY HARKINS, FREEMAN, SCHLOSSBERG, SANCHEZ,
HOHENSTEIN, DRISCOLL, MALAGARI, JOZWIAK, BURGOS, CIRESI,
HOWARD, MERSKI, SAMUELSON, GALLOWAY, DEASY AND NEILSON,
JUNE 7, 2021

REFERRED TO COMMITTEE ON AGRICULTURE AND RURAL AFFAIRS,
JUNE 7, 2021

AN ACT

1 Amending Title 3 (Agriculture) of the Pennsylvania Consolidated
2 Statutes, providing for guidelines for grocery stores during
3 COVID-19 disaster emergency.

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

6 Section 1. Title 3 of the Pennsylvania Consolidated Statutes
7 is amended by adding a chapter to read:

8 CHAPTER 73

9 GUIDELINES FOR GROCERY STORES

10 DURING COVID-19 DISASTER EMERGENCY

11 Sec.

12 7301. Scope of chapter.

13 7302. Definitions.

14 7303. Guidelines for social distancing.

15 7304. Guidelines for cleaning and personal hygiene.

16 7305. Compensation and benefit policies.

17 7306. Guidelines for attendance policies.

1 7307. Guidelines for infected employees.

2 § 7301. Scope of chapter.

3 This chapter relates to grocery stores that operate during
4 the COVID-19 disaster emergency.

5 § 7302. Definitions.

6 The following words and phrases when used in this chapter
7 shall have the meanings given to them in this section unless the
8 context clearly indicates otherwise:

9 "COVID-19 disaster emergency." The duration of the
10 proclamation of disaster emergency issued by the Governor on
11 March 6, 2020, published at 50 Pa.B. 1644 (March 21, 2020) and
12 any renewal of the state of disaster emergency.

13 "Customer." An individual who purchases food, food products
14 or supplies from a grocery store.

15 "Grocery store." A retail establishment, commonly known as a
16 grocery store, supermarket or delicatessen, where food, food
17 products and supplies are sold for human consumption off the
18 premises.

19 "Health insurance policy." As follows:

20 (1) Any individual or group health, sickness or accident
21 policy or subscriber contract or certificate offered, issued
22 or renewed by an entity subject to one of the following:

23 (i) The act of May 17, 1921 (P.L.682, No.284), known
24 as The Insurance Company Law of 1921.

25 (ii) The act of December 29, 1972 (P.L.1701,
26 No.364), known as the Health Maintenance Organization
27 Act.

28 (iii) 40 Pa.C.S. Ch. 61 (relating to hospital plan
29 corporations) or 63 (relating to professional health
30 services plan corporations).

1 (2) The term does not include accident only, fixed
2 indemnity, limited benefit, credit, dental, vision, specified
3 disease, Medicare supplement, Civilian Health and Medical
4 Program of the Uniformed Services (CHAMPUS) supplement, long-
5 term care or disability income, workers' compensation or
6 automobile medical payment insurance.

7 "Social distancing." A deliberate measure to increase the
8 physical space between individuals to avoid spreading the
9 coronavirus disease (COVID-19).

10 § 7303. Guidelines for social distancing.

11 In order to ensure that grocery store employees and customers
12 are practicing social distancing, the department, in conjunction
13 with the Department of Health, shall develop guidelines to
14 recommend that an owner of a grocery store take all of the
15 following actions during the COVID-19 disaster emergency:

16 (1) Place floor markings to indicate where customers
17 should stand to put distance between each customer while they
18 stand in the checkout line.

19 (2) Place floor markings to indicate that customers
20 should stand behind the checkout area until it is time to
21 complete a transaction.

22 (3) Install plexiglass shields at each cash register and
23 any other area where customers are allowed to checkout.

24 (4) Establish limits on the amount of customers in the
25 grocery store at one time.

26 (5) Implement line control procedures indoors and
27 outdoors with appropriate spacing between each customer.

28 (6) Waive curbside and in-store pickup fees to avoid
29 crowds gathering inside the grocery store.

30 (7) Designate specific times for high-risk and senior

1 customers to shop at the grocery store.

2 § 7304. Guidelines for cleaning and personal hygiene.

3 (a) Required cleaning.--The department, in conjunction with
4 the Department of Health, shall develop guidelines to recommend
5 that an owner of a grocery store take all of the following
6 actions during the COVID-19 disaster emergency:

7 (1) Reduce the hours of operation for the grocery store
8 for the purpose of restocking, cleaning and disinfecting the
9 grocery store.

10 (2) Allow only one-half of the available cash registers
11 to be used at one time to provide space in between cash
12 registers.

13 (3) Require each cashier to switch to another cash
14 register every hour to allow the previously used cash
15 registers to be sanitized.

16 (b) Personal hygiene.--The department, in conjunction with
17 the Department of Health, shall develop guidelines to recommend
18 that an owner of a grocery store take all of the following
19 actions:

20 (1) Assign grocery store employees to substitute for
21 cashiers to allow cashiers to wash their hands with soap and
22 water for 20 seconds.

23 (2) Provide hand lotion to grocery store employees to
24 ensure that their hands do not crack as a result of hand
25 washing.

26 (3) Make hand sanitizer readily available for grocery
27 store employees.

28 (4) Schedule cashier station sanitation breaks.

29 (5) Assign grocery store employees to rotate through the
30 grocery store and sanitize frequently touched surfaces,

1 including credit card and debit card payment screens.

2 (6) Assign grocery store employees to wipe down shopping
3 carts and hand baskets on a regular basis.

4 (7) Reduce the handling of paper coupons.

5 (8) Prohibit the use of reusable shopping bags for any
6 purpose.

7 (9) Encourage the use of credit cards and debit cards
8 instead of cash.

9 § 7305. Compensation and benefit policies.

10 The department, in conjunction with the Department of Labor,
11 shall develop guidelines to recommend that an owner of a grocery
12 store take all of the following actions during the COVID-19
13 disaster emergency:

14 (1) Notwithstanding the compensation requirements under
15 Article IV of the act of December 5, 1936 (2nd Sp.Sess., 1937
16 P.L.2897, No.1), known as the Unemployment Compensation Law,
17 provide compensation, at the regular rate of pay, to grocery
18 store employees who have been infected with the coronavirus
19 disease (COVID-19) and are unable to perform work functions
20 or are otherwise subject to quarantine during the COVID-19
21 disaster emergency as the regular rate of pay.

22 (2) Maintain the health insurance policy and other
23 employee-related benefits of grocery store employees who have
24 been infected with the coronavirus disease (COVID-19) and are
25 unable to perform work functions or are otherwise subject to
26 quarantine during the COVID-19 disaster emergency.

27 (3) In the case of grocery store employees who are
28 eligible for compensation for a temporary disability under
29 the act of June 2, 1915 (P.L.736, No.338), known as the
30 Workers' Compensation Act, waive any waiting period

1 requirements for the grocery store employees who have been
2 infected with the coronavirus disease (COVID-19) and are
3 unable to perform work functions or are otherwise subject to
4 quarantine during the COVID-19 disaster emergency.

5 § 7306. Guidelines for attendance policies.

6 The department, in conjunction with the Department of Labor,
7 shall develop guidelines to recommend that an owner of a grocery
8 store take all of the following actions during the COVID-19
9 disaster emergency:

10 (1) Suspend attendance policies for grocery store
11 employees regarding any coronavirus disease (COVID-19) or
12 quarantine incident during the COVID-19 disaster emergency,
13 regardless of whether or not the absence of any grocery store
14 employee is mandated by a medical professional.

15 (2) In the case of grocery store employees who are
16 required to provide care for a family member or need to
17 address child-care issues during the COVID-19 disaster
18 emergency, refrain from penalizing the grocery store
19 employees who utilize personal paid time off or take an
20 unpaid leave of absence.

21 § 7307. Guidelines for infected employees.

22 The department, in conjunction with the Department of Labor,
23 shall develop guidelines to recommend that an owner of a grocery
24 store take all of the following actions if a grocery store
25 employee has been infected with coronavirus disease (COVID-19)
26 or is otherwise subject to quarantine during the COVID-19
27 disaster emergency:

28 (1) If the infected grocery store employee has been on
29 the premises of the grocery store, immediately clean the area
30 where the grocery store employee was performing work

1 functions and send any grocery store employee home who worked
2 in the same area.

3 (2) Provide compensation to a grocery store employee who
4 worked in the same area as the infected grocery store
5 employee at the regular rate of pay for a period of no less
6 than 14 days from the date the grocery store employee was
7 sent home.

8 Section 2. This act shall take effect immediately.