
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 503 Session of
2023

INTRODUCED BY SANTARSIERO, HUGHES, HAYWOOD, KANE, TARTAGLIONE
AND COSTA, MARCH 28, 2023

REFERRED TO VETERANS AFFAIRS AND EMERGENCY PREPAREDNESS,
MARCH 28, 2023

AN ACT

1 Amending Title 35 (Health and Safety) of the Pennsylvania
2 Consolidated Statutes, in Commonwealth services, providing
3 for employees subject to isolation or quarantine.

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

6 Section 1. Title 35 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 7309. Employees subject to isolation or quarantine.

9 (a) Prohibition.--Notwithstanding any other law to the
10 contrary, if the Governor has declared a disaster emergency to
11 exist under this part or the President has declared a major
12 disaster or emergency to exist in this Commonwealth, an employer
13 in this Commonwealth may not terminate or retaliate or
14 discriminate against an employee who is:

15 (1) complying with any isolation or quarantine order
16 issued by a public official due to a public health emergency;
17 or

18 (2) taking care of a family member who is complying with

1 any isolation or quarantine order issued by a public official
2 due to a public health emergency.

3 (b) Reinstatement.--

4 (1) An employee who meets the criteria specified under
5 subsection (a) (1) or (2), other than an employee in a
6 temporary position, shall be reinstated to a position of like
7 seniority, status and pay after being released from isolation
8 or quarantine if the employee:

9 (i) receives a certificate of completion of
10 isolation or quarantine issued by a public official, the
11 Department of Health or a local health facility;

12 (ii) is still qualified to perform the duties of the
13 position; and

14 (iii) submits an application for reemployment to the
15 employer within 90 days after being released from
16 isolation or quarantine.

17 (2) Paragraph (1) shall not apply if an employer's
18 circumstances have changed during the isolation or quarantine
19 period to make it unreasonable for the employer to comply
20 with paragraph (1).

21 (c) Penalties.--

22 (1) If an employer fails or refuses to comply with the
23 provisions of this section, an individual may bring a civil
24 action against the employer in a court of competent
25 jurisdiction to compel the employer to:

26 (i) comply with the provisions of this section; or

27 (ii) compensate the individual for any loss of wages
28 or benefits suffered by reason of the employer's failure
29 or refusal to comply with the provisions of this section.

30 (2) An individual who brings a civil action under

1 paragraph (1) may be represented by counsel, or upon
2 submitting an application to the Office of Attorney General,
3 request that the Office of Attorney General represent the
4 individual in accordance with section 204 of the act of
5 October 15, 1980 (P.L.950, No.164), known as the Commonwealth
6 Attorneys Act. If the Office of Attorney General is
7 reasonably satisfied that the individual has been aggrieved
8 by the employer in violation of this section, the Attorney
9 General may represent the individual.

10 (3) No fees or court costs shall be assessed against an
11 individual who brings a civil action under paragraph (1).
12 Attorney fees shall be awarded to the counsel of the
13 individual awarded damages in a civil action under paragraph
14 (1) or the Office of Attorney General if the Office of
15 Attorney General represents the individual.

16 Section 2. This act shall take effect in 60 days.