

Commission on Human Relations
YOUR RIGHTS TO UNPAID LEAVE DUE TO
DOMESTIC OR SEXUAL VIOLENCE

Effective January 5, 2009, the City of Philadelphia adopted a new ordinance called "Entitlement to Leave Due to Domestic or Sexual Violence." **If you, or a family or household member, have been the victim of domestic violence, sexual assault or stalking you may be entitled to take certain amounts of unpaid leave from work.**

Reasons for Taking Leave

You may take leave to do any of the following for yourself or your household or family member:

- Seek medical attention for physical or psychological injuries;
- Obtain help from an organization that provides services to domestic or sexual violence victims;
- Obtain counseling or therapy;
- Make safety plans, including possibly relocating to increase safety;
- Seek legal assistance.

Advance Notice and Certification

- You must provide your employer with at least 48-hours notice of the leave unless it is not practicable for you to do so.
- Your employer can require you to provide a certification of the domestic or sexual violence and the reason that you must take the leave.

Job Benefits and Protection

- You may take up to 8 workweeks of leave in a 12-month period if you work for an employer who employs 50 or more employees.
- You may take up to 4 workweeks of leave in a 12-month period if you work for an employer who employs fewer than 50 employees.

- This leave, when added to any leave you have taken under the Family and Medical Leave Act (FMLA), cannot be more than the 12 weeks in a 12-month period provided under the FMLA.
- You may take this leave intermittently or on a reduced work schedule.
- You may use any paid leave available under your employer's policies during this leave, but it will not increase the amount of leave you can take.
- You are entitled to maintain all benefits accrued prior to taking the leave.
- For the duration of your leave, your employer must continue the health benefits for you and your family or household members on the same terms as if you were not on leave; you must continue to pay your share of the cost.
- Upon return from leave, you must be restored to your original position or an equivalent position with equivalent benefits, pay and other terms and conditions of employment.
- All information provided by you to your employer pursuant to the law must be kept confidential.

Unlawful Acts by Employers

You may file a complaint against your employer if your employer refuses to grant you leave or retaliates against you for taking or requesting to take leave.

TO FILE A COMPLAINT OR FOR MORE INFORMATION CONTACT:

PHILADELPHIA COMMISSION ON HUMAN RELATIONS

PHONE: (215) 686-4670
EMAIL: PCHR@phila.gov

THE CURTIS CENTER
601 WALNUT STREET, SUITE 300 SOUTH
PHILADELPHIA, PA 19106 www.phila.gov/PCHR

**This official notice must be posted wherever employees are performing work.*

Commission on Human Relations
Conozca sus derechos civiles

Sus derechos a una licencia sin goce de sueldo como consecuencia de violencia sexual o doméstica

En la ciudad de Filadelfia, si usted o un miembro de su familia u hogar ha sido víctima de violencia doméstica, agresión sexual o acoso tiene derecho a tomarse determinados períodos de licencia sin goce de sueldo en el trabajo conforme a una ordenanza denominada "Derecho a licencia como consecuencia de violencia sexual o doméstica".

Motivos para tomarse la licencia

Es posible que desee tomarse la licencia para realizar *cualquiera* de las siguientes opciones para usted o para un miembro de su familia u hogar:

- Buscar atención médica por lesiones físicas o psicológicas.
- Obtener ayuda de una organización que proporcione servicios a víctimas de violencia sexual o doméstica.
- Recibir asesoramiento o terapia.
- Realizar planes por su seguridad, incluida una posible mudanza para tener mayor seguridad.
- Buscar asistencia legal.

Aviso anticipado y certificación

- Deberá proporcionarle a su empleador un aviso de licencia con, al menos, 48 horas de anticipación, salvo que no pueda hacerlo.
- Su empleador puede solicitarle que proporcione una certificación de violencia sexual o doméstica y del motivo por el que debe tomarse la licencia.

Protección y beneficios laborales

- Puede tomarse hasta 8 semanas laborales de licencia en un período de 12 meses si usted trabaja para un empleador que tenga 50 empleados o más.
- Puede tomarse hasta 4 semanas laborales de licencia en un período de 12 meses si usted trabaja para un empleador que tenga menos de 50 empleados.
- Esta licencia, cuando se agregue a las licencias que ha tomado en virtud de la Ley de Licencia por Razones Médicas y Familiares (Family and Medical Leave Act, FMLA), no podrá ser superior a 12 semanas en un período de 12 meses, tal como lo estipula la FMLA.

- Puede tomar esta licencia de forma intermitente o en un horario de trabajo reducido.
- Puede utilizar cualquier licencia con goce de sueldo disponible según las políticas de su empleador durante esta licencia, pero esto no aumentará el período de licencia que pueda tomarse.
- Usted tiene derecho a mantener todos los beneficios acumulados antes de tomarse la licencia.
- Durante la duración de su licencia, su empleador deberá seguir ofreciéndole los beneficios de salud para usted y los miembros de su familia u hogar como si no estuviera de licencia; usted deberá seguir pagando su parte del costo.
- Cuando regrese de su licencia, deberá ser reincorporado a su puesto original o a un puesto equivalente con beneficios, salario y otros términos y condiciones de empleo equivalentes.
- Toda la información que usted le proporcione a su empleador según la ley deberá mantenerse de forma confidencial.

Prácticas ilegales por parte de los empleadores

Puede presentar una queja en contra de su empleador si este se rehúsa a otorgarle la licencia o toma represalias en su contra por tomar o solicitar la licencia.

Cumplimiento e información adicional

Para presentar una queja o para obtener más información, comuníquese con:

COMISIÓN DE RELACIONES HUMANAS DE FILADELFA
THE CURTIS CENTER
601 WALNUT STREET,
SUITE 300 SOUTH
FILADELFA, PA 19106
TELÉFONO: 215-686-4670
TTY: 215-686-3238
CORREO ELECTRÓNICO: PCHR@phila.gov
www.phila.gov/PCHR

Este aviso oficial debe publicarse en las áreas donde los empleados realicen sus tareas.

Department of Labor
NOTICE TO EMPLOYEES
REQUIRES PAID OR UNPAID SICK LEAVE

Chapter §9-4100 — Promoting Healthy Families and Workplaces

Examples of Violations

- Denied use of paid or unpaid sick leave.
- Not tracking accrual of sick leave.
- Not notifying employees of this benefit.
- Not allowing to carry over sick leave each year.
- Requiring a note for two days or less.
- Not accepting a reasonable note.
- Requiring a worker to find coverage.
- Requiring a worker to make up hours.
- Not allowing sick leave for sexual assault or domestic abuse.

Employees Exempted from this law

- Hired to work 6 months or less
- Hired for a 16 week period/ seasonal worker
- Independent contractor/ 1099 tax form
- Covered by a collective bargaining agreement
- Adjunct professor
- Pool employee or Per Diem
- Student intern

If you believe you have been misclassified, contact our office.

Employer Requirements

- Employees will earn 1 hour of sick leave for every 40 hours of work, which may be limited to 40 hours each year.
- The employer will keep records of sick leave accrual and use for all employees for 3 years.
- The employer will notify all employees of their right to this benefit.

Department of Labor
NOTICE TO EMPLOYEES

PROMOCIÓN DE FAMILIAS Y LUGARES DE TRABAJO SALUDABLES

Capítulo 9-4100 — Promoting Healthy Families and Workplaces

Los ejemplos de violaciones incluyen:

- Denegar el uso de licencia por enfermedad con o sin goce de sueldo;
- No llevar un seguimiento de la acumulación de licencia por enfermedad;
- No notificar a los empleados sobre este beneficio;
- No permitir que se conserve la licencia por enfermedad acumulada cada año;
- Requerir un certificado por dos días o menos;
- No aceptar un certificado razonable;
- Requerir que un trabajador busque cobertura;
- Requerir que un trabajador compense horas;
- No otorgar licencia por enfermedad por ataque sexual o abuso doméstico.

Empleados exentos de esta ley:

- Contratados para trabajar durante 6 meses o menos
- Contratados por un período de 16 semanas/trabajadores estacionales
- Contratistas independientes / formulario impositivo 1099
- Cubiertos por un convenio colectivo de trabajo
- Profesor adjunto
- Empleados de reserva o estudiante en pasantía con pago de gastos por día

Si cree que ha sido clasificado de forma errónea, contacte a nuestra oficina.

Requisitos del empleador:

- Los empleados obtendrán 1 hora de licencia por enfermedad por cada 40 horas de trabajo, y pueden limitarse a 40 horas cada año.
- El empleador conservará registros de la acumulación y uso de licencia por enfermedad de todos los empleados durante 3 años.
- El empleador notificará a todos los empleados sobre su derecho a este beneficio.
- El empleador brindará licencia por enfermedad con goce de sueldo para 10 o más empleados a la tarifa de pago regular.
- El empleador permitirá que se conserve el tiempo de licencia por enfermedad no utilizado de un año al año siguiente o de forma anticipada.

Commission on Human Relations
REASONABLE ACCOMMODATIONS
PREGNANT AND WORKING
YOU HAVE RIGHTS

EMPLOYERS MUST

NOT DENY EMPLOYMENT OPPORTUNITIES
ACCOMMODATE REASONABLE REQUEST
NOT FORCE YOU TO TAKE LEAVE
ACCOMMODATE BREASTFEEDING
NOT RETALIATE

WITHOUT PENALTY

PCHR

PHILADELPHIA COMMISSION ON
HUMAN RELATIONS

www.phila.gov/PCHR | 215-686-4670 | PCHR@phila.gov

Commission on Human Relations
ADAPTACIONES RAZONABLES
EMBARAZADA TRABAJANDO
USTED TIENE DERECHOS

LOS EMPLEADORES DEBEN

No negar oportunidades de empleo
Atender solicitudes razonables
Facilitar la lactancia materna
No tomar represalias
No pueden obligarla a tomar vacaciones

Sin una sanción

PCHR

PHILADELPHIA COMMISSION ON
HUMAN RELATIONS

www.phila.gov/PCHR | 215-686-4670 | PCHR@phila.gov

Department of Labor
NOTICE TO EMPLOYEES
PROVIDES PROTECTION AGAINST WAGE THEFT

Chapter §9-4300 — Wage Theft Complaints

Examples of Wage Theft includes:

- Failure to pay overtime.
- Failure to pay minimum wage.
- Failure to pay all hours worked.
- Failure to pay benefits.
- Failure to pay amount promised.
- Work off the clock.
- Wrongful tip deductions.
- Wrongful pay deduction.

Employer Requirements:

- The employer must pay all compensation to all employees.
- The employer will inform each employee of their rights under this law.
- The employer will keep records of hours worked and/or records of compensation provided to all employees.

File a Complaint If...

- The complaint is filed within 3 years of when wage theft occurred.
- The Wage Theft occurred within city limits.
- The amount of stolen wages is more than \$100.

Learn more

EMPLOYERS
Request compliance assistance by contacting the Office of Worker Protections.

EMPLOYEES
File a complaint by contacting the Office of Worker Protections or file a lawsuit in Court.



RETALIATION BY EMPLOYERS IS ILLEGAL.

100 S. BROAD STREET
4TH FLOOR
PHILADELPHIA PA 19102
WORKERPROTECTION@PHILA.GOV
PHILA.GOV/LABOR

Department of Labor
CITY OF PHILADELPHIA

215-686-0802

Worker Protection Hotline

Commission On Human Relations
KNOW YOUR CIVIL RIGHTS

Employers - Unions - Employment Agencies
Employment Discrimination Is Against the Law

It is unlawful to discriminate against anyone in hiring, firing, obtaining tenure or other job benefits, union membership, and privileges, job referrals, interviews, and applications because of:

- Religion
- Sex
 - (including pregnancy and breastfeeding)
- National Origin
- Domestic or Sexual Violence Victim Status
- Genetic Information
- Source of Income
- Race
- Color
- Ancestry
- Disability
- Ethnicity
- Reproductive Health Autonomy
- Age
- Sexual Orientation
- Gender Identity
- Familial Status
- Marital Status
- Childbirth or related medical condition

Contact:

THE PHILADELPHIA COMMISSION ON HUMAN RELATIONS (PCHR)
THE CURTIS CENTER
601 WALNUT STREET, SUITE 300 SOUTH
PHILADELPHIA, PA 19106

215-686-4670 | PCHR@phila.gov | www.phila.gov/PCHR

This official notice must be posted wherever applicants are interviewed and wherever work is performed.

The Philadelphia Fair Practices Ordinance: Protections Against Unlawful Discrimination
Chapter 9-1100 of the Philadelphia Code

Commission On Human Relations
CONOZCA SUS DERECHOS CIVILES
Empleadores - Sindicatos - Agencias de empleo
La discriminación laboral es ilegal

Es ilegal discriminar a cualquier persona en la contratación, el despido, la obtención de antigüedad u otros beneficios laborales, la afiliación sindical y los privilegios, las referencias laborales, las entrevistas y las solicitudes como consecuencia de:

- Religión
- Sexo
 - (incluidos el embarazo y la lactancia)
- Origen nacional
- Condición de víctima de violencia doméstica o sexual
- Información genética
- Fuente de ingresos
- Raza
- Color
- Ascendencia
- Discapacidad
- Origen étnico
- Autonomía de la salud reproductiva
- Edad
- Orientación sexual
- Identidad de género
- Situación familiar
- Estado civil
- Parto o afección médica relacionada

Contacto:

THE PHILADELPHIA COMMISSION ON HUMAN RELATIONS (PCHR)
THE CURTIS CENTER
601 WALNUT STREET, SUITE 300 SOUTH
PHILADELPHIA, PA 19106

215-686-4670 | PCHR@phila.gov | www.phila.gov/PCHR

Este aviso oficial debe colocarse en cualquier sitio en el que se entreviste a los solicitantes y donde se lleve a cabo el trabajo.

Ordenanza de Prácticas Justas de Filadelfia: protecciones contra la discriminación ilegal
Capítulo 9-1100 del Código de Filadelfia

Commission on Human Relations
Philadelphia's Fair Chance Hiring Law

Ensuring that people with criminal records have a fair chance to work.

It is illegal in Philadelphia for **employers*** to ask about your criminal record before extending a conditional offer of employment, reemployment, promotion, or increased compensation. ***Some employers are exempt.**

On job applications and during interviews:

Employers can:

- Provide notice that they intend to conduct a criminal background check **after** a conditional offer is extended to you.

Employers cannot:

- Ask about your criminal background or request you to disclose arrest or conviction history, even if you are told that you do not have to answer the question.
- After a conditional offer is made:
Employers can:
 - Run your criminal background check.
 - Consider a criminal conviction, **only if:**
 - A felony conviction or release from custody (whichever is later) occurred **in the last 7 yrs.**
 - A misdemeanor conviction or release from custody (whichever is later) occurred **in the last 4 yrs.**
- When considering convictions, they **must** do an **individualized assessment** based on:
 - The nature of the offense; time that has passed since the offense; employment history; the particular duties of the job; evidence of rehabilitation.

Employers cannot:

- Maintain a blanket policy of excluding all individuals with a history of convictions.
- Consider:
 - Summary offenses (lowest-level criminal offense, usually results in a fine)
 - Arrests that did not lead to convictions

- Expunged or sealed convictions
- Juvenile records
- Rescind the offer unless, based on all assessment factors, employing you would pose a specific unacceptable risk to their business or to co-workers or customers.

If an employer seeks to rescind the conditional offer based on your criminal record, they must:

- Send you a written notice of their intent to rescind the offer. It must include:
 - A summary of your rights under the Fair Chance Hiring law
 - The basis for their decision, including the documents they relied on to make their decision
 - A statement that before making a final decision, they will consider any errors in the record and/or evidence of rehabilitation or mitigation
 - Clear and accurate instructions on how and where to submit a response directly to them
 - Notice that you have 10 business days to provide your response to them

If you believe an employer has violated the law, you can file a complaint with the PCHR.

pchr@phila.gov

www.phila.gov/humanrelations

PHILADELPHIA COMMISSION ON HUMAN RELATIONS
601 WALNUT STREET, SUITE 300 SOUTH
PHILADELPHIA, PA 19106
(215) 686-4670
@PHILLYPCHR

The Philadelphia Code § 9-3509



Since 1953

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TWO ways to verify poster compliance!

QR CODE Scan with phone camera:

OR

ONLINE Go to: JJKeller.com/LLPverify

Enter this code: 69632-072026