

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1075 Session of 2015

INTRODUCED BY GABLER, F. KELLER, SANKEY, BARRAR, BLOOM, CHRISTIANA, CUTLER, DIAMOND, DUSH, EMRICK, EVANKOVICH, EVERETT, FEE, GREINER, GROVE, HARHART, A. HARRIS, HICKERNELL, PHILLIPS-HILL, IRVIN, JAMES, KAUFFMAN, M. K. KELLER, KNOWLES, LAWRENCE, MACKENZIE, MALONEY, MCGINNIS, MENTZER, METCALFE, MILLARD, B. MILLER, MOUL, MUSTIO, ORTITAY, PICKETT, QUIGLEY, RADER, RAPP, REGAN, ROAE, SACCONI, SIMMONS, STAATS, TALLMAN, TOOHIL, TOPPER, TRUITT, WARD AND WARNER, MAY 11, 2015

REFERRED TO COMMITTEE ON STATE GOVERNMENT, MAY 11, 2015

AN ACT

1 Providing for transparency in public employment collective  
2 bargaining.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Public  
7 Employment Collective Bargaining Act.

8 Section 2. Definitions.

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

12 "Public employer." As defined in section 301(1) of the act  
13 of July 23, 1970 (P.L.563, No.195), known as the Public Employe  
14 Relations Act.

15 "Public employee." An employee of a public employer.

1 "Employee organization." An "employee organization" as  
2 defined in section 301(3) of the Public Employee Relations Act.

3 "Proposed collective bargaining agreement." The terms of  
4 bargaining between a public employer and an employee  
5 organization which:

6 (1) apply to wages, benefits and working conditions; and

7 (2) are:

8 (i) reduced to writing;

9 (ii) agreed upon by designated representatives of

10 the:

11 (A) public employer; and

12 (B) employee organization; and

13 (iii) submitted for acceptance as a contract to the:

14 (A) public employer; and

15 (B) employee organization.

16 Section 3. Conflict with other statutes.

17 (a) Scope.--This section applies to the following  
18 provisions:

19 (1) Section 1125-A(g), (h) and (k) of the act of March  
20 10, 1949 (P.L.30, No.14), known as the Public School Code of  
21 1949.

22 (2) Section 7(a) of the act of June 24, 1968 (P.L.237,  
23 No.111), referred to as the Policemen and Firemen Collective  
24 Bargaining Act.

25 (b) Resolution.--In case of a conflict between this act and  
26 a provision identified in subsection (a), the provision  
27 identified in subsection (a) governs.

28 Section 4. Public notice.

29 (a) Requirement.--A public employer must provide notice to  
30 the public prior to accepting a proposed collective bargaining

1 agreement as a contract.

2 (b) Posting or publishing.--

3 (1) Except as set forth in paragraph (2), the notice  
4 under subsection (a) must be posted on the public employer's  
5 publicly accessible Internet website:

6 (i) beginning at least 14 days prior to acceptance;  
7 and

8 (ii) ending 30 days after acceptance.

9 (2) If a public employer does not have a publicly  
10 accessible Internet website, the public employer must publish  
11 the required notice once in a newspaper of general  
12 circulation at least two weeks prior to accepting a proposed  
13 collective bargaining agreement.

14 (3) The notice must include the following:

15 (i) A statement of the terms of the proposed  
16 collective bargaining agreement.

17 (ii) An estimate of the costs to the public employer  
18 associated with the proposed collective bargaining  
19 agreement.

20 (c) Effect of noncompliance.--A collective bargaining  
21 agreement entered into in violation of subsection (a) or (b)  
22 shall be void.

23 Section 5. Right-to-Know Law.

24 The following are public records subject to the act of  
25 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law:

26 (1) A proposed collective bargaining agreement.

27 (2) Documents presented by a public employer or  
28 received by a public employer from an employee organization  
29 in the course of collective bargaining.

30 Section 6. Effective date.

1        This act shall take effect in 60 days.