

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1956

Session of
1987

INTRODUCED BY LANGTRY, BOOK, SAURMAN, BURD, HECKLER, PITTS,
BARLEY, E. Z. TAYLOR, HERSHEY, SCHEETZ AND LEH, NOVEMBER 17,
1987

REFERRED TO COMMITTEE ON LABOR RELATIONS, NOVEMBER 17, 1987

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for the imposition of fines
6 when a strike or work stoppage results in the loss of
7 instructional days; and prohibiting the waiver, suspension or
8 reduction of fines imposed for violations of the Public
9 Employe Relations Act.

10 The General Assembly of the Commonwealth of Pennsylvania
11 hereby enacts as follows:

12 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
13 as the Public School Code of 1949, is amended by adding a
14 section to read:

15 Section 1134. Fines.--(a) Whenever a strike or work
16 stoppage results in the loss of instructional days, in
17 accordance with the officially adopted calendar of instructional
18 days approved by the board of directors, the employe shall be
19 fined one one-eightieth (1/180) of his annual salary or wages
20 for each day of the strike or work stoppage. The school district
21 shall be fined a sum equal to the daily wages or salaries of the

1 striking employes from its Equalized Subsidy for Basic Education
2 (ESBE) payments calculated under section 2501 and supplemental
3 payments as defined in sections 2502.14 and 2502.15. In the case
4 of an intermediate unit or an area vocational-technical school,
5 the respective agency shall be fined a sum equal to the daily
6 wages or salaries of the striking employes. The constituent
7 districts of the respective agency shall have a sum
8 proportionate to the district's percentage of enrollment
9 deducted from the Equalized Subsidy for Basic Education (ESBE)
10 and supplemental payments pursuant to this act. The amount in
11 finer paid by the employer shall not exceed the total amount of
12 subsidy due. The fines may not be waived, suspended or reduced
13 after the signing of a collective bargaining agreement or as a
14 condition for the agreement.

15 (b) This section shall not apply in the case of a lockout or
16 work stoppage constituting an unfair labor practice by the
17 employer pursuant to the act of July 23, 1970 (P.L.563, No.195),
18 known as the "Public Employe Relations Act."

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