

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2488 Session of 2000

INTRODUCED BY FLICK, MICOZZIE, TRELLO, SOLOBAY, BAKER, BELFANTI, BUNT, L. I. COHEN, COSTA, FICHTER, FRANKEL, GEIST, GODSHALL, HARHAI, HERMAN, LAUGHLIN, PESCI, PETRONE, RAMOS, READSHAW, RUBLEY, SCHULER, SHANER, STERN, STEVENSON, E. Z. TAYLOR, THOMAS, TRAVAGLIO, VAN HORNE, WILLIAMS AND KAISER, APRIL 19, 2000

AS REPORTED FROM COMMITTEE ON INTERGOVERNMENTAL AFFAIRS, HOUSE OF REPRESENTATIVES, AS AMENDED, SEPTEMBER 25, 2000

AN ACT

1 Amending the act of December 18, 1984 (P.L.1004, No.204),
2 entitled, "An act extending benefits to police chiefs or
3 heads of police departments of political subdivisions of the
4 Commonwealth who have been removed from bargaining units by
5 the Pennsylvania Labor Relations Board," further providing
6 for salary of nonunion police officers.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. Section 1 of the act of December 18, 1984
10 (P.L.1004, No.204), entitled "An act extending benefits to
11 police chiefs or head of police departments of political
12 subdivisions of the Commonwealth who have been removed from
13 bargaining units by the Pennsylvania Labor Relations Board" is
14 amended to read:

15 ~~Section 1. Legislative intent.~~

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16 ~~The General Assembly recognizes that the overwhelming~~
17 ~~majority of municipal police chiefs in this Commonwealth are~~

1 ~~unprotected by collective bargaining with their public employers~~
2 ~~and that such municipal police chiefs are thus placed at a~~
3 ~~decided disadvantage when negotiating the terms and conditions~~
4 ~~of their employment because their subordinates, who for the most~~
5 ~~part are members of recognized bargaining units, are afforded~~
6 ~~the protections of collective bargaining. The General Assembly~~
7 ~~has determined that this imbalance of bargaining power must be~~
8 ~~rectified, and it hereby declares that nonunion municipal police~~
9 ~~chiefs in the Commonwealth shall be entitled to at least the~~
10 ~~same pay increase as that received by the highest ranking police~~
11 ~~officers participating in the bargaining units for the nonunion~~
12 ~~chiefs' departments.~~

13 Section 2. ~~Section 1 of the act is amended to read:~~

14 Section [1] 2. ~~Salary of nonunion police officers.~~

15 ~~Except in cities of the first and second class, the chief,~~
16 ~~superintendent or commissioner of police and other ranking~~
17 ~~officers in a political subdivision of the Commonwealth who have~~
18 ~~been removed from bargaining units under the act of June 24,~~
19 ~~1968 (P.L.237, No.111), referred to as the Policemen and Firemen~~
20 ~~Collective Bargaining Act, by rulings of the Pennsylvania Labor~~
21 ~~Relations Board shall receive not less than the same dollar~~
22 ~~increase including fringe benefits excluding overtime and~~
23 ~~festive holiday pay as received by the highest ranking police~~
24 ~~officer participating in the bargaining unit.~~

25 Section 3. ~~Section 2 of the act is amended to read:~~

26 Section [2] 3. ~~Effective date.~~

27 ~~This act shall take effect [January 1, 1985] in 60 days.~~

28 Section 3. ~~This act shall take effect in 60 days.~~

29 SECTION 1. SALARY OF NONUNION POLICE OFFICERS.

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30 EXCEPT IN CITIES OF THE FIRST AND SECOND CLASS, THE CHIEF,

1 SUPERINTENDENT OR COMMISSIONER OF POLICE [AND OTHER RANKING
2 OFFICERS IN A POLITICAL SUBDIVISION OF THE COMMONWEALTH WHO HAVE
3 BEEN REMOVED FROM BARGAINING UNITS] WHO IS NOT A MEMBER OF A
4 BARGAINING UNIT UNDER THE ACT OF JUNE 24, 1968 (P.L.237,
5 NO.111), REFERRED TO AS THE POLICEMEN AND FIREMEN COLLECTIVE
6 BARGAINING ACT, AND ANY OTHER RANKING OFFICERS IN A POLITICAL
7 SUBDIVISION OF THE COMMONWEALTH WHO HAVE BEEN REMOVED FROM, OR
8 OTHERWISE RECOGNIZED AS NOT BEING INCLUDED IN, BARGAINING UNITS
9 UNDER THAT ACT BY RULINGS OF THE PENNSYLVANIA LABOR RELATIONS
10 BOARD SHALL RECEIVE NOT LESS THAN THE SAME DOLLAR INCREASE
11 INCLUDING FRINGE BENEFITS EXCLUDING OVERTIME AND FESTIVE HOLIDAY
12 PAY AS RECEIVED BY THE HIGHEST RANKING POLICE OFFICER
13 PARTICIPATING IN THE BARGAINING UNIT.

14 SECTION 2. THIS ACT SHALL TAKE EFFECT IN 60 DAYS.