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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1303 Session of  
2017

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INTRODUCED BY MATZIE, DeLUCA, D. COSTA, BARRAR, TOPPER, JAMES,  
IRVIN, RAPP, O'BRIEN, NEILSON AND WARD, APRIL 28, 2017

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 28, 2017

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AN ACT

1 Prohibiting bonuses and certain types of salary increases for  
2 employees of Commonwealth agencies.

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 Commonwealth  
7 Agency Remuneration Equality 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 "Bonus." Monetary compensation given to an employee beyond  
13 the employee's annual salary or other rate of pay. The term does  
14 not include any of the following:

15 (1) Reimbursement or payments for expenses related to  
16 official business, including meals, lodging, uniforms, car or  
17 mileage and other expenses.

18 (2) Severance payments under a personnel compensation

1 plan, contract or collective bargaining agreement.

2 (3) Payments for unused vacation or sick leave.

3 (4) An annual cost-of-living adjustment equivalency  
4 payment made to an individual, at the maximum of a salary  
5 range, adopted under a personnel compensation plan or a  
6 collective bargaining agreement.

7 (5) An arbitration award.

8 (6) Payments made pursuant to litigation.

9 (7) Overtime compensation.

10 (8) Annual performance-based incentive payments based on  
11 objective criteria made under a personnel compensation plan  
12 included in an individual employment contract or collective  
13 bargaining agreement.

14 (9) Shift differential payments, standby or call-time  
15 payments or extra duty payments made under a collective  
16 bargaining agreement.

17 A personnel compensation plan, contract or collective bargaining  
18 agreement under this definition shall be in writing and shall be  
19 open for public inspection.

20 "Commonwealth agency." Any of the following:

21 (1) The Governor, Lieutenant Governor, Attorney General,  
22 Auditor General, State Treasurer and the departments,  
23 offices, boards, authorities, commissions and other agencies  
24 of the executive branch of the Commonwealth, whether or not  
25 subject to the supervision and control of the Governor.

26 (2) The General Assembly of the Commonwealth.

27 (3) Any court or office of the unified judicial system  
28 of the Commonwealth.

29 Section 3. Bonuses prohibited.

30 No Commonwealth agency may pay a bonus to any of its

1 employees.

2 Section 4. Penalties.

3 (a) Reimbursement.--An employee of a Commonwealth agency who  
4 is paid a bonus after the effective date of this act shall  
5 reimburse the employer for the full amount of the bonus.

6 (b) Criminal offense.--A person who knowingly and willingly  
7 approves or authorizes a bonus prohibited by this act commits a  
8 misdemeanor of the third degree.

9 Section 5. Applicability.

10 The provisions of this act shall not abrogate any provision  
11 of an existing collective bargaining agreement or employment  
12 contract.

13 Section 6. Effective date.

14 This act shall take effect immediately.