An Act

Amending the act of July 23, 1970 (P.L.563, No.195), entitled “An act establishing rights in public employees to organize and bargain collectively through selected representatives; defining public employees to include employees of nonprofit organizations and institutions; providing compulsory mediation and fact-finding, for collective bargaining impasses; providing arbitration for certain public employees for collective bargaining impasses; defining the scope of collective bargaining; establishing unfair employee and employer practices; prohibiting strikes for certain public employees; permitting strikes under limited conditions; providing penalties for violations; and establishing procedures for implementation,” in representation, providing for recertification.

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

Section 1. The act of July 23, 1970 (P.L.563, No.195), known as the Public Employee Relations Act, is amended by adding a section to read:

Section 608. (a) The board shall conduct periodic recertification elections using a secret ballot vote among the public employees in a collective bargaining unit to determine if the majority of the employees desire to continue representation.

(b) Recertification elections under subsection (a) shall be
conducted in accordance with the following schedule:

(1) The initial recertification election shall be conducted in the period between six years after acquiring representation and seven years after acquiring representation.

(2) If more than six years have elapsed since acquiring representation, the board shall conduct a recertification election within two years after the effective date of this section.

(3) Subsequent recertification elections shall be conducted in the period between six years after a recertification election and seven years after a recertification election, with the time frame tolled from the date of the recertification election.

(c) If a majority of the public employes in the collective bargaining unit who vote in the recertification election under subsection (a) determines not to continue representation, the current representative's duties, including collection of dues, fees and grievance arbitration, shall terminate, provided that the collective bargaining agreement shall remain in effect with respect to wages, hours and conditions of employment.

(d) If public employes vote to end representation under subsection (c), a period of at least two years must elapse before any representative may initiate a petition under this article to become a certified representative of the public employes.

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