

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1719 Session of
1975

INTRODUCED BY KISTLER, ZELLER AND TURNER, SEPTEMBER 22, 1975

REFERRED TO COMMITTEE ON STATE GOVERNMENT, SEPTEMBER 23, 1975

AN ACT

1 Amending the act of July 23, 1970 (P.L.563, No.195), entitled
2 "An act establishing rights in public employes to organize
3 and bargain collectively through selected representatives;
4 defining public employes to include employes of nonprofit
5 organizations and institutions; providing compulsory
6 mediation and fact-finding, for collective bargaining
7 impasses; providing arbitration for certain public employes
8 for collective bargaining impasses; defining the scope of
9 collective bargaining; establishing unfair employe and
10 employer practices; prohibiting strikes for certain public
11 employes; permitting strikes under limited conditions;
12 providing penalties for violations; and establishing
13 procedures for implementation," further providing for
14 collective bargaining between school boards and public school
15 employes.

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

18 Section 1. The act of July 23, 1970 (P.L.563, No.195), known
19 as the "Public Employe Relations Act," is amended by adding an
20 article to read:

21 ARTICLE VIII.1

22 Collective Bargaining-School Boards

23 and Public School Employes

24 Section 801.1. Bargaining sessions between school board and
25 school board employes, both professional and nonprofessional,

1 shall be limited to a period of one hundred twenty days. The
2 same shall begin six months prior to the expiration of the
3 existing contract.

4 Section 801.2. When no agreement is reached at the end of
5 the one hundred twenty day period, all material evidence from
6 the meetings, which shall be kept in detail, shall be submitted
7 to the court of common pleas of the county wherein the school
8 district, or a majority of the district, exists, for compulsory
9 arbitration, which shall be binding. The court shall render its
10 decision within sixty days.

11 Section 801.3. The court shall be empowered to command the
12 presence of all persons and agencies participating in the
13 negotiations or affected by them to appear and to render such
14 information, help and assistance as it deems necessary to reach
15 its determination.

16 Section 801.4. Decision of the court shall be subject to
17 appeal to the Superior Court for final determination, except for
18 constitutional questions which questions shall be subject to
19 Supreme Court appeal. The Superior Court shall render its
20 decision within thirty days.

21 Section 801.5. Neither employes, nor school boards, shall be
22 harassed during negotiations by one or the other, and an action
23 against harassment may be brought during bargaining sessions in
24 the court of common pleas and where guilt is found, punishment
25 may range from fines of one hundred dollars (\$100) to five
26 hundred dollars (\$500), and on second offense to jail term not
27 exceeding six months, or both.

28 Section 801.6. Court awards in compulsory arbitration
29 matters shall be consistent with prevailing wages and
30 conditions, in surrounding school districts of the said county.

1 Section 801.7. Teachers, and other groups of employes, shall
2 not be denied use of facilities of the school district for their
3 meetings, during off school hours, subject to reasonable
4 regulations, which regulations shall be subject to appeal to the
5 court of common pleas for modification.

6 Section 801.8. During the period of negotiation the terms of
7 the current contract or the last contract shall continue until a
8 new contract is negotiated and signed.

9 Section 2. This act shall take effect immediately.