

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 769

Session of
1983

INTRODUCED BY PHILLIPS AND SHOWERS, APRIL 13, 1983

REFERRED TO COMMITTEE ON LABOR RELATIONS, APRIL 13, 1983

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 mediation.

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

17 Section 1. Section 802 of the act of July 23, 1970 (P.L.563,
18 No.195), known as the Public Employe Relations Act, is amended
19 to read:

20 Section 802. Once mediation has commenced, it shall continue
21 for so long as the parties have not reached an agreement. If,
22 however, an agreement has not been reached within twenty days
23 after mediation has commenced or in no event later than one

1 hundred thirty days prior to the "budget submission date," the
2 Bureau of Mediation shall notify the board of this fact. Upon
3 receiving such notice and prior to a work stoppage the board
4 [may in its discretion] shall appoint a fact-finding panel which
5 panel may consist of either one or three members. [If a panel
6 is] The panel so designated or selected [it] shall hold hearings
7 and take oral or written testimony and shall have subpoena
8 power. If during this time the parties have not reached an
9 agreement, the panel shall make findings of fact and
10 recommendations:

11 (1) The findings of fact and recommendations shall be sent
12 by registered mail to the board and to both parties not more
13 than forty days after the Bureau of Mediation has notified the
14 board as provided in the preceding paragraph.

15 (2) Not more than ten days after the findings and
16 recommendations shall have been sent, the parties shall notify
17 the board and each other whether or not they accept the
18 recommendations of the fact-finding panel and if they do not,
19 the panel shall publicize its findings of fact and
20 recommendations.

21 (3) Not less than five days nor more than ten days after the
22 publication of the findings of fact and recommendations, the
23 parties shall again inform the board and each other whether or
24 not they will accept the recommendations of the fact-finding
25 panel.

26 (4) The Commonwealth shall pay one-half the cost of the
27 fact-finding panel; the remaining one-half of the cost shall be
28 divided equally between the parties. The board shall establish
29 rules and regulations under which panels shall operate,
30 including, but not limited to, compensation for panel members.

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