

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 901 Session of
1995

INTRODUCED BY PETTIT, FICHTER, MELIO, GODSHALL, HENNESSEY,
ARMSTRONG, GAMBLE, HERSHEY, CLYMER, BROWNE, LAWLESS, ROHRER,
E. Z. TAYLOR, TRUE, STEIL, MAITLAND, CIVERA, LEH AND
L. I. COHEN, FEBRUARY 28, 1995

REFERRED TO COMMITTEE ON LABOR RELATIONS, FEBRUARY 28, 1995

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 prohibited strikes; and making a repeal.

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

17 Section 1. Section 1001 of the act of July 23, 1970
18 (P.L.563, No.195), known as the Public Employe Relations Act, is
19 amended to read:

20 Section 1001. Strikes by guards at prisons or mental
21 hospitals, employes who are teachers in public schools or
22 employes directly involved with and necessary to the functioning
23 of the courts of this Commonwealth are prohibited at any time.

1 If a strike occurs the public employer shall forthwith initiate
2 in the court of common pleas of the jurisdiction where the
3 strike occurs, an action for appropriate equitable relief
4 including but not limited to injunctions. If the strike involves
5 Commonwealth employees, the chief legal officer of the public
6 employer or the Attorney General where required by law shall
7 institute an action for equitable relief, either in the court of
8 common pleas of the jurisdiction where the strike has occurred
9 or the Commonwealth Court.

10 Section 2. Article XI-A of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949, is
12 repealed insofar as it is inconsistent with this act.

13 Section 3. The following provisions shall apply on and after
14 July 1 subsequent to the effective date of this act:

15 (1) The amendment of section 1001 of the act.

16 (2) The repeal of Article XI-A of the act of March 10,
17 1949 (P.L.30, No.14), known as the Public School Code of
18 1949.

19 Section 4. This act shall take effect immediately.