

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2404 Session of
1996

INTRODUCED BY MICOZZIE, COLAFELLA, RAYMOND, TRELLO, GIGLIOTTI,
OLASZ, COLAIZZO AND LESCOVITZ, FEBRUARY 13, 1996

REFERRED TO COMMITTEE ON LABOR RELATIONS, FEBRUARY 13, 1996

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," providing coverage for campus
14 police and security officers, for officers or investigators
15 within the Bureau of Liquor Control Enforcement, for transit
16 police officers and for other police officers employed by
17 municipal authorities.

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

20 Section 1. Sections 805 and 1001 of the act of July 23, 1970
21 (P.L.563, No.195), known as the Public Employe Relations Act,
22 are amended to read:

23 Section 805. Notwithstanding any other provisions of this
24 act where representatives of units of guards at prisons or
25 mental hospitals, campus police or campus security officers,

1 officers or investigators within the Bureau of Liquor Control
2 Enforcement, transit police officers or other police officers
3 employed by municipal authorities or units of employes directly
4 involved with and necessary to the functioning of the courts of
5 this Commonwealth have reached an impasse in collective
6 bargaining and mediation as required in section 801 of this
7 article has not resolved the dispute, the impasse shall be
8 submitted to a panel of arbitrators whose decision shall be
9 final and binding upon both parties with the proviso that the
10 decisions of the arbitrators which would require legislative
11 enactment to be effective shall be considered advisory only.

12 Section 1001. Strikes by guards at prisons or mental
13 hospitals, campus police or campus security officers, officers
14 or investigators within the Bureau of Liquor Control
15 Enforcement, transit police officers or other police officers
16 employed by municipal authorities, or employes directly involved
17 with and necessary to the functioning of the courts of this
18 Commonwealth are prohibited at any time. If a strike occurs the
19 public employer shall forthwith initiate in the court of common
20 pleas of the jurisdiction where the strike occurs, an action for
21 appropriate equitable relief including but not limited to
22 injunctions. If the strike involves Commonwealth employes, the
23 chief legal officer of the public employer or the Attorney
24 General where required by law shall institute an action for
25 equitable relief, either in the court of common pleas of the
26 jurisdiction where the strike has occurred or the Commonwealth
27 Court.

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