

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 151 Session of 2007

INTRODUCED BY RAPP, METCALFE, CREIGHTON, ROHRER, BENNINGHOFF, CLYMER, CUTLER, EVERETT, FAIRCHILD, GINGRICH, GRELL, HARPER, HERSHEY, HICKERNELL, KAUFFMAN, M. KELLER, MAJOR, R. MILLER, NAILOR, REICHLEY, ROAE, SAYLOR, SCHRODER, STEIL, SWANGER, TRUE, BOYD, BEAR AND DENLINGER, MAY 24, 2007

REFERRED TO COMMITTEE ON LABOR RELATIONS, MAY 24, 2007

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employees in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employees of certain departments, boards and
20 commissions shall be determined," further providing for the
21 fair share fee for employees of public employers.

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

24 Section 1. The definitions of "public employer" and "school
25 entity" in section 2215(a) of the act of April 9, 1929 (P.L.177,
26 No.175), known as The Administrative Code of 1929, added July

1 13, 1988 (P.L.493, No.84), are amended to read:

2 Section 2215. Fair Share Fee; Payroll Deduction.--(a) As
3 used in this section, the following words and phrases shall have
4 the meanings given to them in this subsection:

5 * * *

6 "Public employer" shall mean the Commonwealth of
7 Pennsylvania. [or a school entity.

8 "School entity" shall mean any school district, intermediate
9 unit or vocational-technical school.]

10 * * *

11 Section 2. (a) No collective bargaining agreement made by a
12 school district, intermediate unit or vocational-technical
13 school after the effective date of this section nor any
14 extension of an existing collective bargaining agreement made by
15 a school district, intermediate unit or vocational-technical
16 school after the effective date of this section may require
17 payment of a fair share fee to the exclusive representative by a
18 nonmember of the exclusive representative.

19 (b) Notwithstanding the provisions of section 606 of the act
20 of July 23, 1970 (P.L.563, No.195), known as the Public Employe
21 Relations Act, or any other law to the contrary, an employee
22 organization acting as an exclusive representative in any school
23 district, intermediate unit or vocational-technical school shall
24 owe no duty to and shall have no obligation to represent any
25 employee of a school district, intermediate unit or vocational-
26 technical school who is not a member of the employee
27 organization in any grievance or other proceeding filed with or
28 against the school district, intermediate unit or vocational-
29 technical school.

30 Section 3. This act shall take effect immediately.