
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 645 Session of
2015

INTRODUCED BY STEFANO, SCARNATI, CORMAN, FOLMER, ALLOWAY,
EICHELBERGER, VOGEL, WAGNER, AUMENT, WHITE, BARTOLOTTA AND
HUTCHINSON, APRIL 16, 2015

REFERRED TO STATE GOVERNMENT, APRIL 16, 2015

AN ACT

1 Providing for notice and disclosure of proposed collective
2 bargaining agreements and related documents and for open
3 records.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Short title.

7 This act shall be known and may be cited as the Public
8 Employer Collective Bargaining Transparency Act.

9 Section 2. Definitions.

10 The following words and phrases when used in this act shall
11 have the meanings given to them in this section unless the
12 context clearly indicates otherwise:

13 "Employee organization." An organization of any kind, or any
14 agency or employee representation committee or plan in which
15 membership includes public employees, and which exists for the
16 purpose, in whole or in part, of dealing with employers
17 concerning grievances, employee-employer disputes, wages, rates
18 of pay, hours of employment or conditions of work. The term does

1 not include any organization that practices discrimination in
2 membership because of race, color, creed, national origin or
3 political affiliation.

4 "Proposed collective bargaining agreement." Any terms of
5 bargaining between a public employer and an employee
6 organization covering public employee wages, benefits and
7 working conditions that have been reduced to writing under
8 section 701 of the act of July 23, 1970 (P.L.563, No.195), known
9 as the Public Employe Relations Act.

10 "Public employee" or "employee." An individual employed by a
11 public employer. This term does not include any of the
12 following:

13 (1) Elected officials.

14 (2) Appointees of the Governor with the advice and
15 consent of the Senate as required by law.

16 (3) Management-level employees.

17 (4) Confidential employees.

18 (5) Clergymen or other persons in a religious
19 profession, employees or personnel at church offices or
20 facilities when utilized primarily for religious purposes.

21 (6) Employees covered under the act of June 24, 1968
22 (P.L.237, No.111), referred to as the Policemen and Firemen
23 Collective Bargaining Act.

24 "Public employer." Includes all of the following:

25 (1) The Commonwealth and its political subdivisions,
26 including school districts, and any officer, board,
27 commission, agency, authority or other instrumentality
28 thereof.

29 (2) A nonprofit organization or institution and any
30 charitable, religious, scientific, literary, recreational,

1 health, educational or welfare institution receiving grants
2 or appropriations from Federal, State or local government.
3 The term does not include employers subject to the act of June
4 1, 1937 (P.L.1168, No.294), known as the Pennsylvania Labor
5 Relations Act, or the National Labor Relations Act (49 Stat.
6 449, 29 U.S.C. § 151 et seq.).

7 Section 3. Notice prior to approval of collective bargaining
8 agreement.

9 (a) Notice.--A public employer shall provide notice prior to
10 signing a proposed collective bargaining agreement. The notice
11 shall include all of the following:

12 (1) A statement of the terms of the proposed collective
13 bargaining agreement.

14 (2) An estimate of the costs to the public employer
15 associated with the proposed collective bargaining agreement.

16 (b) Posting.--The notice required shall be posted on the
17 public employer's publicly accessible Internet website beginning
18 at least two weeks prior to the signing of proposed collective
19 bargaining agreement and continuing until at least 30 days after
20 the signing of the collective bargaining agreement.

21 (c) Unenforceability.--A collective bargaining agreement
22 executed without providing the notice required under this
23 section shall be void and unenforceable in its entirety.

24 Section 4. Open records.

25 All of the following are public records subject to the act of
26 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law:

27 (1) A proposed collective bargaining agreement made by a
28 public employer or received by a public employer from an
29 employee organization. The proposed collective bargaining
30 agreement shall be posted on the public employer's publicly

1 accessible Internet website within 48 hours of receipt of the
2 proposed collective bargaining agreement.

3 (2) Any documents that are presented by a public
4 employer or received by a public employer from an employee
5 organization, in the course of collective bargaining.

6 Section 5. This act shall take effect in 30 days.