
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 166 Session of
2017

INTRODUCED BY EICHELBERGER, REGAN, SCARNATI, MARTIN, YAW,
ALLOWAY, FOLMER, GORDNER, RESCHENTHALER, AUMENT, CORMAN,
HUTCHINSON, WHITE, STEFANO, VULAKOVICH AND DISANTO,
JANUARY 20, 2017

SENATOR FOLMER, STATE GOVERNMENT, AS AMENDED, JANUARY 31, 2017

AN ACT

1 Providing for protection of paychecks of certain workers and for
2 the collection of political contributions.

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

5 Section 1. Short title.

6 This act shall be known and may be cited as the Protection of
7 Public Employee Wages Act.

8 Section 2. Public policy.

9 The General Assembly finds and declares that it is the public
10 policy of this Commonwealth and the purpose of this act to
11 promote orderly and constructive relationships between employers
12 and their employees and that this overall policy may be
13 accomplished, at least in part, by ensuring public employers do
14 not collect money intended for political or other inappropriate
15 purposes from the wages of public employees.

16 Section 3. Definitions.

17 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Fair share fee." The regular membership dues required of
4 members of an employee organization acting as exclusive
5 representative less the cost for the previous fiscal year of its
6 activities or undertakings which were not reasonably employed to
7 implement or effectuate the duties of the employee organization
8 as exclusive representative. This definition shall stand in pari
9 materia with the definition of "fair share fee" in section 2215
10 of the act of April 9, 1929 (P.L.177, No.175), known as The
11 Administrative Code of 1929, and the definition of "fair share
12 fee" in section 2 of the act of June 2, 1993 (P.L.45, No.15),
13 known as the Public Employee Fair Share Fee Law.

14 "LEGISLATIVE PURPOSE." THE TERM SHALL NOT INCLUDE THE
15 NEGOTIATION, RESOLUTION, ARBITRATION, ADMINISTRATION OR
16 ENFORCEMENT OF A COLLECTIVE BARGAINING AGREEMENT BETWEEN A
17 BARGAINING REPRESENTATIVE AND A PUBLIC EMPLOYER.

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18 "Political contribution." Money or funds appropriated to be
19 used for:

20 (1) a contribution, as defined in section 1621 of the
21 act of June 3, 1937 (P.L.1333, No.320), known as the
22 Pennsylvania Election Code;

23 (2) an independent expenditure, as defined in section
24 1621 of the Pennsylvania Election Code;

25 (3) an expenditure, as defined in section 1621 of the
26 Pennsylvania Election Code;

27 (4) lobbying, as defined in 65 Pa.C.S. § 13A03 (relating
28 to definitions);

29 (5) a voter registration drive;

30 (6) a get-out-the-vote drive; or

1 (7) any other electoral, political or legislative
2 purpose.

3 "Public employee." An individual employed by a public
4 employer, including a public school employee under the act of
5 March 10, 1949 (P.L.30, No.14), known as the Public School Code
6 of 1949.

7 "Public employer." The Commonwealth, a political
8 subdivision, a school district and any officer, board,
9 commission, agency, authority or other instrumentality thereof.

10 "Wages." Hourly rates of pay, salary or other form of
11 compensation due to an employee for services rendered.

12 Section 4. Protection of public employee wages.

13 (a) Paycheck protection.--A public employer may not deduct
14 from the wages of a public employee money or funds to be used
15 for political contributions, except as required by a valid
16 collective bargaining agreement entered into between a public
17 employer and a representative of its employees prior to the
18 effective date of this section. No individual or organization
19 shall seek to have a political contribution deducted from the
20 wages of a public employee. A collective bargaining agreement
21 entered into, renewed or extended on or after the effective date
22 of this section shall not contain provisions authorizing or
23 requiring the deduction of political contributions.

24 (b) Applicability.--Nothing in this section shall be
25 construed to preclude a public employer from:

26 (1) deducting a designated amount for a charitable
27 contribution expressly authorized by an employee; or

28 (2) if required to do so by a collective bargaining
29 agreement entered into with a representative of its
30 employees, deducting from the wages of an employee

1 organization member an amount equal to, but not greater than,
2 a fair share fee.

3 Section 5. Effective date.

4 This act shall take effect as follows:

5 (1) Section 4 shall take effect in 60 days.

6 (2) The remainder of this act shall take effect
7 immediately.