
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2036 Session of
2021

INTRODUCED BY ROTHMAN, HERSHEY, BERNSTINE, HAMM, GROVE, MENTZER,
R. MACKENZIE, SMITH, JONES, JAMES, METCALFE AND ZIMMERMAN,
OCTOBER 29, 2021

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, OCTOBER 29, 2021

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," in employee rights, providing
14 for conditions of collective bargaining agreement; and, in
15 scope of bargaining, further providing for maintenance of
16 membership.

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

19 Section 1. The act of July 23, 1970 (P.L.563, No.195), known
20 as the Public Employe Relations Act, is amended by adding a
21 section to read:

22 Section 402. No collective bargaining agreement entered into
23 on or after the effective date of this section shall establish
24 conditions for when a public employe may join or resign from an

1 employe organization acting as the exclusive representative of a
2 unit. This section does not apply to collective bargaining
3 between a public employer and an employe organization that
4 primarily consists of corrections officers employed by the
5 Department of Corrections or a county.

6 Section 2. Section 705 of the act is amended to read:

7 Section 705. [~~Membership~~] (a) Subject to subsection (b),
8 membership dues deductions and maintenance of membership are
9 proper subjects of bargaining with the proviso that as to the
10 latter, the payment of dues and assessments while members, may
11 be the only requisite employment condition.

12 (b) On or after the effective date of this subsection,
13 maintenance of membership shall not be a proper subject of
14 bargaining. The following apply:

15 (1) No collective bargaining agreement entered into on or
16 after the effective date of this subsection may contain a
17 provision regarding maintenance of membership.

18 (2) This subsection does not apply to collective bargaining
19 between a public employer and an employe organization that
20 primarily consists of corrections officers employed by the
21 Department of Corrections or a county.

22 Section 3. This act shall take effect immediately.