

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in collective bargaining, further
6 providing for the prohibition of strikes in certain
7 circumstances.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1131-A of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended July 5, 2012 (P.L.965, No.105), is amended to read:

13 Section 1131-A. Strikes Prohibited in Certain
14 Circumstances.--(a) One year after a contract impasse, the
15 Secretary of Education may request a public hearing in the
16 school district of impasse. The public hearing process shall
17 follow the following requirements:

18 (1) The hearing shall include testimony from the school
19 board of the district, school district administration, the
20 employe organization and any additional party requested by the

1 Secretary of Education.

2 (2) The public shall have thirty (30) days to submit written
3 testimony. Testimony may be received from experts commenting on
4 the social, emotional and educational well-being of the students
5 in the school district.

6 (3) Within ninety (90) days following the public hearing,
7 the Secretary of Education shall issue a report on
8 recommendations regarding the impasse.

9 (b) A strike must cease where the parties request fact-
10 finding for the duration of the fact-finding. A strike must end
11 where the parties agree to arbitration. Strikes are prohibited:

12 (1) During the period of up to ten (10) days provided for
13 under section 1125-A(a).

14 (2) During final best-offer arbitration, including the
15 period of up to ten (10) days after receipt of the determination
16 of the arbitrators during which the governing body of the school
17 entity may consider the determination.

18 (3) When the arbitrators' determination becomes final and
19 binding.

20 (4) If not authorized by secret ballot vote cast by the
21 majority of the members of the employe organization at a meeting
22 held by the employe organization in which a majority of its
23 membership is present. No proxies may be secured, solicited,
24 obtained or voted to establish a majority of the members of the
25 employe organization being present or a majority vote related to
26 a strike by the employe organization. If less than a majority of
27 the members of the employe organization is present at this
28 meeting, no vote related to a strike shall be taken at such
29 meeting. The meeting may not be conducted more than seventy-two
30 (72) hours prior to the effective date of the commencement of a

1 strike set forth in the written notice of the intent to strike
2 by the employe organization to the superintendent, executive
3 director or the director.

4 Section 2. This act shall take effect immediately.