

LEGISLATIVE REFERENCE BUREAU

L.R.B. Form No. 4 (Rev. 1/11/17)

2021D07155MAB:MAC

No. \_\_\_\_\_

**Legislative Reference Bureau**

AN ACT

Amending the act of June 24, 1968 (P.L.237, No.111), referred to as the Policemen and Firemen Collective Bargaining Act, providing for issues excluded from collective bargaining.

**INTRODUCED** \_\_\_\_\_ **20** \_\_\_\_\_

By \_\_\_\_\_ **District** **NO.** \_\_\_\_\_

By \_\_\_\_\_ **District** **NO.** \_\_\_\_\_

By \_\_\_\_\_ **District** **NO.** \_\_\_\_\_

By \_\_\_\_\_ **District** **NO.** \_\_\_\_\_

See next page for additional co-sponsors.

Prior Session \_\_\_\_\_

<b>Referred to Committee on</b>	
Date _____	20 _____
Reported _____	20 _____
<b>As Committed-Amended</b>	
<b>Recommendation</b>	
_____	
<b>By Hon.</b> _____	



## AN ACT

1 Amending the act of June 24, 1968 (P.L.237, No.111), entitled  
2 "An act specifically authorizing collective bargaining  
3 between policemen and firemen and their public employers;  
4 providing for arbitration in order to settle disputes, and  
5 requiring compliance with collective bargaining agreements  
6 and findings of arbitrators," providing for issues excluded  
7 from collective bargaining.

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

10 Section 1. The act of June 24, 1968 (P.L.237, No.111),  
11 referred to as the Policemen and Firemen Collective Bargaining  
12 Act, is amended by adding a section to read:

13 Section 7.1. (a) Policies and procedures related to employe  
14 discipline for policemen may be the subject of collective  
15 bargaining or arbitration under this act, except for policies  
16 and procedures related to discipline for any of the following  
17 infractions:

18 (1) Conduct constituting a criminal offense.

19 (2) Any of the conduct listed in 44 Pa.C.S. § 7311(a)(1)  
20 (relating to hiring report).

1 (3) Violation of the rights of a person guaranteed under the  
2 Constitution of the United States or the Constitution of  
3 Pennsylvania.

4 (b) Discipline of policemen for infractions listed in  
5 subsection (a)(1), (2) and (3) shall be at the discretion of the  
6 employer.

7 (c) A collective bargaining agreement or arbitration award  
8 shall not prohibit the release of information about a final  
9 disciplinary decision of the employer, for infractions listed in  
10 subsection (a)(1), (2) and (3), to another Federal or State law  
11 enforcement agency for the purposes of making a hiring decision.

12 (d) This section shall not be construed to:

13 (1) impair the rights of an employe under any other Federal  
14 or State law providing protections for employes from unlawful  
15 discrimination or retaliation by an employer;

16 (2) prevent or delay an impartial fact-finding inquiry if  
17 the material facts of an alleged infraction listed in subsection  
18 (a)(1), (2) and (3) are in dispute; or

19 (3) impair the criminal or civil due process rights of a  
20 policeman under Federal or State law.

21 Section 2. This act shall take effect in 60 days.