

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 849

Session of
1975

INTRODUCED BY GALLAGHER AND PANCOAST, MARCH 19, 1975

REFERRED TO COMMITTEE ON EDUCATION, MARCH 20, 1975

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," providing for bargaining rights for
6 administrative and supervisory professional employees.

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

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the "Public School Code of 1949," is amended by adding a
11 section to read:

12 Section 1113. Bargaining Rights for Supervisory and

13 Administrative Employees.--(a) As used in this section:

14 "Principal" and "assistant principal" means any professional
15 employee below the rank of assistant district superintendent who
16 devotes one-half or more of his time to supervision and
17 administration and who is properly certified to serve in the
18 said administrative position by the Department of Education, and
19 who by virtue of his assigned duties is not eligible for
20 membership in the teacher bargaining unit.

1 "Supervisory employe" means any employe below the rank of
2 district superintendent or assistant district superintendent and
3 including the rank of the first level of supervision as
4 designated by the board of school directors, having authority in
5 the interests of the superintendent and the board of school
6 directors to employ, transfer, suspend, promote, discharge,
7 evaluate, rate, assign, reward or discipline other employes, or
8 responsibly direct them and adjust their grievances; or to a
9 substantial degree effectively recommend such action in
10 connection with the foregoing; and devotes one-half or more of
11 his time and is properly certified to serve in this position by
12 the Department of Education.

13 (b) Principals, assistant principals and supervisory
14 employes shall be permitted to organize within each school
15 district and become members of one supervisory and
16 administrative employe organization separate from any other
17 employe bargaining group within the district, including only
18 employes of the school district, whose purpose is, in whole or
19 in part, to negotiate with the board of school directors
20 concerning terms and conditions of employment.

21 (c) Upon written request from officers or a designated
22 representative of the organization of supervisory employes, the
23 board of school directors shall extend exclusive recognition to
24 such organization of supervisory employes, including principals
25 and assistant principals, or a representative thereof, for the
26 purpose of negotiating terms or conditions of employment and to
27 meet and discuss such other matters as the board of school
28 directors may determine to be necessary for the improvement of
29 the educational services of the school district.

30 (d) The board of school directors and the organization of

supervisory employees or representatives thereof, shall be
required to negotiate in good faith and to reach agreement on
matters affecting wages, hours and terms and conditions of
employment for members of the organization of supervisory
employees. Such agreement shall be reduced to writing and shall
be signed and dated by officers of the employee organization and
the board of school directors. Such signed agreement shall
continue in effect until a time specified in the terms of the
agreement. Such negotiations may upon mutual agreement, include
use of fact-finding and mediation services but shall not include
compulsory arbitration nor grant a right to strike or any other
reduction in whole or in part from the full, faithful and proper
performance of the duties of employment for the purpose of
inducing, influencing or coercing a change in the condition or
compensation or the rights, privileges or obligations of
employment.

Section 2. This act shall take effect immediately.