

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1747 Session of
1999

INTRODUCED BY MELIO, ROBINSON AND TRELLO, JUNE 21, 1999

REFERRED TO COMMITTEE ON EDUCATION, JUNE 21, 1999

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," prohibiting strikes during
14 the school year by employees providing transportation
15 services for students.

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

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

21 Section 1003.1. (a) Notwithstanding any provisions of this
22 act to the contrary, an employe of a school district or entity
23 providing transportation services for students to and from
24 school pursuant to a contract shall be prohibited from striking

1 during the school year.

2 (b) A school district shall initiate, in the court of common
3 pleas of the jurisdiction where the strike occurs, an action for
4 equitable relief including, but not limited to, appropriate
5 injunctions, and shall be entitled to this relief if the court
6 finds a violation under subsection (a). Prior to the filing of
7 any complaint in equity under the provisions of this section the
8 moving party shall serve upon the defendant a copy of the
9 complaint as provided for in the Pennsylvania Rules of Civil
10 Procedure applicable to these actions. Hearings shall be
11 required before relief is granted under this section and notices
12 of the same shall be served in the manner required for the
13 original process with a duty imposed upon the court to hold the
14 hearings forthwith.

15 Section 2. This act shall take effect immediately.