

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1351 Session of 2011

INTRODUCED BY REICHLEY, AUMENT, BLOOM, CALTAGIRONE, CLYMER,
D. COSTA, CREIGHTON, CUTLER, DENLINGER, EVERETT, GODSHALL,
GRELL, GROVE, HARHART, HESS, HICKERNELL, KAUFFMAN,
M. K. KELLER, KNOWLES, METCALFE, MILLARD, MILLER, MURT,
O'NEILL, PICKETT, PYLE, RAPP, ROAE, SACCONI, SCHRODER,
SIMMONS, STEVENSON, SWANGER, TALLMAN, TOEPEL, VULAKOVICH AND
WATSON, APRIL 20, 2011

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, APRIL 20, 2011

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 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, added
12 July 9, 1992 (P.L.403, No.88), is amended to read:

13 Section 1131-A. Strikes Prohibited in Certain
14 Circumstances.--A strike must cease where the parties request
15 fact-finding for the duration of the fact-finding. A strike must
16 end where the parties agree to arbitration. Strikes are
17 prohibited:

18 (1) During the period of up to ten (10) days provided for

1 under section 1125-A(a).

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

6 (3) When the arbitrators' determination becomes final and
7 binding.

8 (4) If not authorized by a vote of the employe organization
9 cast as follows:

10 (i) The vote must be taken at a meeting of the organization.

11 (ii) A majority of the members of the employe organization
12 must be present at the meeting. Proxies may not be used to
13 establish the majority under this subparagraph.

14 (iii) The meeting must be conducted within seventy-two (72)
15 hours prior to the effective date of the commencement of the
16 strike set forth in the written notice of intent to strike sent
17 by the employe organization to the superintendent, executive
18 director or director.

19 (iv) The vote must be by secret ballot.

20 (v) A majority of the members of the employe organization
21 must vote to authorize the strike.

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