
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1418 Session of
2011

INTRODUCED BY CUTLER, EMRICK, AUMENT, BEAR, BLOOM, BOYD,
CHRISTIANA, COX, CREIGHTON, DAY, DENLINGER, GROVE,
HICKERNELL, KAUFFMAN, KRIEGER, LAWRENCE, METCALFE, MILLER,
MOUL, PERRY, ROAE, SACCONI, SCHRODER, SIMMONS, STERN, SWANGER
AND TALLMAN, APRIL 28, 2011

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, APRIL 28, 2011

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," further providing for public
14 employes organizing, forming, joining or assisting employe
15 organizations and for subjects of bargaining for certain
16 public employes; and making related repeals.

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

19 Section 1. Sections 401 and 705 of the act of July 23, 1970
20 (P.L.563, No.195), known as the Public Employe Relations Act,
21 are amended to read:

22 Section 401. It shall be lawful for public employes to
23 organize, form, join or assist in employe organizations or to

1 engage in lawful concerted activities for the purpose of
2 collective bargaining or other mutual aid and protection or to
3 bargain collectively through representatives of their own free
4 choice and such employes shall also have the right to refrain
5 from any or all such activities[, except as may be required
6 pursuant to a maintenance of membership provision in a
7 collective bargaining agreement].

8 Section 705. (a) Membership dues deductions and maintenance
9 of membership are proper subjects of bargaining for public
10 employes subject to the conditions of section 805, 806 and 1001
11 with the proviso that as to the latter, the payment of dues and
12 assessments while members, may be the only requisite employment
13 condition.

14 (b) Membership dues deduction and maintenance of membership
15 shall not be subjects of bargaining for other public employes
16 covered under this act, provided that collective bargaining
17 agreements entered into after the effective date of this
18 subsection with such employes shall not contain such provisions.

19 Section 2. Repeals are as follows:

20 (1) The General Assembly declares that the repeals under
21 paragraph (2) are necessary to effectuate this act.

22 (2) The following are repealed:

23 (i) Section 2215(c) of the act of April 9, 1929
24 (P.L.177, No.175), known as The Administrative Code of
25 1929.

26 (ii) Section 4(a) of the act of June 2, 1993
27 (P.L.45, No.15), known as the Public Employee Fair Share
28 Fee Law.

29 Section 3. This act shall take effect in 60 days.