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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1755 Session of  
2015

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INTRODUCED BY KAUFFMAN, METCALFE, RAPP, F. KELLER, BLOOM,  
KNOWLES, WARD, CUTLER, MCGINNIS, LAWRENCE, TALLMAN, GROVE,  
SAYLOR, TOPPER, PHILLIPS-HILL, EVERETT, MACKENZIE AND  
HICKERNELL, APRIL 13, 2016

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, APRIL 13, 2016

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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 defining "maintenance  
14 of membership"; and further providing for employe rights and  
15 for scope of bargaining.

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

18 Section 1. Sections 301(18), 401 and 705 of the act of July  
19 23, 1970 (P.L.563, No.195), known as the Public Employe  
20 Relations Act, are amended to read:

21 Section 301. As used in this act:

22 \* \* \*

23 (18) "Maintenance of membership" means that all employes who

1 have joined an employe organization or who join the employe  
2 organization in the future must remain members for the duration  
3 of a collective bargaining agreement so providing with the  
4 proviso that any such employe or employes may resign from such  
5 employe organization [during a period of fifteen days prior to  
6 the expiration of] at any time during the term of any such  
7 agreement if the resignation is submitted in writing.

8 \* \* \*

9 Section 401. It shall be lawful for public employes to  
10 organize, form, join or assist in employe organizations or to  
11 engage in lawful concerted activities for the purpose of  
12 collective bargaining or other mutual aid and protection or to  
13 bargain collectively through representatives of their own free  
14 choice and such employes shall also have the right to refrain  
15 from any or all such activities, [except as may be required]  
16 including the right to resign at any time pursuant to a  
17 maintenance of membership provision in a collective bargaining  
18 agreement.

19 Section 705. Membership dues deductions and maintenance of  
20 membership are proper subjects of bargaining with the proviso  
21 that as to the latter, the payment of dues and assessments while  
22 members[,] may be the only requisite employment condition.

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