

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 478 Session of 2019

INTRODUCED BY GROVE, RYAN, GLEIM, ZIMMERMAN, DUSH, JONES AND  
KEEFER, FEBRUARY 12, 2019

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 12, 2019

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," in representation, providing  
14 for recertification.

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

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

20 Section 608. (a) The board shall conduct periodic  
21 recertification elections using a secret ballot vote among the  
22 public employes in a collective bargaining unit to determine if  
23 the majority of the employes desire to continue representation.

24 (b) Recertification elections under subsection (a) shall be

1 conducted in accordance with the following schedule:

2 (1) The initial recertification election shall be conducted  
3 in the period between six years after acquiring representation  
4 and seven years after acquiring representation.

5 (2) If more than six years have elapsed since acquiring  
6 representation, the board shall conduct a recertification  
7 election within two years after the effective date of this  
8 section.

9 (3) Subsequent recertification elections shall be conducted  
10 in the period between six years after a recertification election  
11 and seven years after a recertification election, with the time  
12 frame tolled from the date of the recertification election.

13 (c) If a majority of the public employes in the collective  
14 bargaining unit who vote in the recertification election under  
15 subsection (a) determines not to continue representation, the  
16 current representative's duties, including collection of dues,  
17 fees and grievance arbitration, shall terminate, provided that  
18 the collective bargaining agreement shall remain in effect with  
19 respect to wages, hours and conditions of employment.

20 (d) If public employes vote to end representation under  
21 subsection (c), a period of at least two years must elapse  
22 before any representative may initiate a petition under this  
23 article to become a certified representative of the public  
24 employes.

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