
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 870 Session of
2019

INTRODUCED BY KNOWLES, RYAN, MACKENZIE, METCALFE, B. MILLER,
GLEIM AND SCHEMEL, MARCH 18, 2019

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MARCH 18, 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, further
14 providing for exclusivity and providing for separate
15 bargaining.

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

18 Section 1. Section 606 of the act of July 23, 1970 (P.L.563,
19 No.195), known as the Public Employe Relations Act, is amended
20 to read:

21 Section 606. [Representatives] Subject to section 606,
22 representatives selected by public employes in a unit
23 appropriate for collective bargaining purposes shall be the
24 exclusive representative of all the employes in such unit to

1 bargain on wages, hours, terms and conditions of employment:
2 Provided, That any individual employe or a group of employes
3 shall have the right at any time to present grievances to their
4 employer and to have them adjusted without the intervention of
5 the bargaining representative as long as the adjustment is not
6 inconsistent with the terms of a collective bargaining contract
7 then in effect: And, provided further, That the bargaining
8 representative has been given an opportunity to be present at
9 such adjustment.

10 Section 2. The act is amended by adding a section to read:

11 Section 606.1. Public employes who are not members of the
12 employe organization acting as the exclusive representative of
13 its members shall have the right to separately bargain on their
14 wages, hours, terms and conditions of employment if these public
15 employes notify the public employer, in writing, that they
16 choose to be excluded from the collective agreement negotiated
17 by the employe organization. Upon compliance with this section,
18 all of the following apply:

19 (1) The employee organization shall have no duty to
20 represent these public employes in presenting and adjusting any
21 grievance to the public employer.

22 (2) The limitations of a collective bargaining agreement
23 shall not apply to adjustment of grievances for these public
24 employes.

25 (3) The employe organization shall not have the opportunity
26 to be present at such grievance adjustment.

27 Section 3. The amendment or addition of sections 606 and
28 606.1 of the act shall apply to collective bargaining agreements
29 entered into or renewed on or after the effective date of this
30 section.

1 Section 4. This act shall take effect in 60 days.