
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2230 Session of
2020

INTRODUCED BY GREINER, RYAN, FEE, MACKENZIE, PYLE, HICKERNELL,
JAMES, KEEFER, MENTZER AND ZIMMERMAN, JANUARY 17, 2020

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 17, 2020

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 public policy, further
14 providing for declaration of purpose; in definitions, further
15 providing for definitions; in employee rights, providing for
16 unlawful deductions for political contributions; in scope of
17 bargaining, providing for prohibited collective bargaining
18 agreement provisions; and, in judicial review, providing for
19 additional remedies for certain unfair practices.

20 The General Assembly of the Commonwealth of Pennsylvania
21 hereby enacts as follows:

22 Section 1. Section 101 of the act of July 23, 1970 (P.L.563,
23 No.195), known as the Public Employe Relations Act, is amended
24 to read:

25 Section 101. The General Assembly of the Commonwealth of
26 Pennsylvania declares that it is the public policy of this

1 Commonwealth and the purpose of this act to promote orderly and
2 constructive relationships between all public employers and
3 their employees subject, however, to the paramount right of the
4 citizens of this Commonwealth to keep inviolate the guarantees
5 for their health, safety and welfare. Unresolved disputes
6 between the public employer and its employees are injurious to
7 the public and the General Assembly is therefore aware that
8 adequate means must be established for minimizing them and
9 providing for their resolution. Within the limitations imposed
10 upon the governmental processes by these rights of the public at
11 large and recognizing that harmonious relationships are required
12 between the public employer and its employees, the General
13 Assembly has determined that the overall policy may best be
14 accomplished by (1) granting to public employees the right to
15 organize and choose freely their representatives; (2) requiring
16 public employers to negotiate and bargain with employe
17 organizations representing public employees and to enter into
18 written agreements evidencing the result of such bargaining;
19 [and] (3) establishing procedures to provide for the protection
20 of the rights of the public employe, the public employer and the
21 public at large[.]; and (4) ensuring public employers do not
22 collect money intended for political purposes from the wages of
23 employees.

24 Section 2. Section 301 of the act is amended by adding a
25 clause to read:

26 Section 301. As used in this act:

27 * * *

28 (20) "Political contribution" means funds allocated for any
29 of the following purposes:

30 (i) A contribution as defined in section 1621(b) of the act

1 of June 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania
2 Election Code."

3 (ii) An independent expenditure as defined in section
4 1621(e) of the "Pennsylvania Election Code."

5 (iii) An expenditure as defined in section 1621(d) of the
6 "Pennsylvania Election Code."

7 (iv) A voter registration drive.

8 (v) A get-out-the-vote drive.

9 (vi) Any other electoral or political purpose.

10 Section 3. The act is amended by adding sections to read:

11 Section 402. (a) It shall be unlawful for a public employer
12 to deduct political contributions from the wages of public
13 employees, including public school employees governed under the
14 act of March 10, 1949 (P.L.30, No.14), known as the "Public
15 School Code of 1949," except as required by a valid collective
16 bargaining agreement entered into or renewed between the public
17 employer and a representative of the public employees before the
18 effective date of this section.

19 (b) This section shall not apply to any of the following:

20 (1) Employees of a public employer who are subject to the act
21 of June 24, 1968 (P.L.237, No.111), referred to as the Policemen
22 and Firemen Collective Bargaining Act.

23 (2) Employees of a public employer who are not permitted to
24 strike pursuant to section 1001.

25 Section 705.1. A collective bargaining agreement entered
26 into or renewed on or after the effective date of this section
27 may not contain provisions that violate section 402.

28 Section 1506. In addition to any other remedies provided
29 under this act, whenever it is charged by a public employe that
30 a public employer has engaged in or is engaging in an unfair

1 practice prohibited under section 402, the public employe may
2 file a petition in the Commonwealth Court for temporary relief,
3 or a restraining or mandamus order as the Commonwealth Court
4 deems just and proper or requisite to effectuate section 402. In
5 a proceeding under this section, the parties before the
6 Commonwealth Court shall be the public employer charged with the
7 commission of the unfair labor practice prohibited under section
8 402 and the charging party. The jurisdiction of the Commonwealth
9 Court under this section shall be exclusive within the limits of
10 its jurisdiction.

11 Section 4. The provisions of this act are severable. If any
12 provision of this act or its application to any person or
13 circumstance is held invalid, the invalidity shall not affect
14 other provisions or applications of this act which can be given
15 effect without the invalid provision or application.

16 Section 5. This act shall take effect as follows:

17 (1) The addition of sections 402 and 705.1 of the act
18 shall take effect in 30 days.

19 (2) The remainder of this act shall take effect
20 immediately.