

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1993 Session of 2021

INTRODUCED BY KNOWLES, METCALFE, RYAN, MOUL, B. MILLER,  
WHEELAND, JONES, DAY AND ZIMMERMAN, OCTOBER 21, 2021

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, OCTOBER 21, 2021

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 exclusive representation and providing for  
15 separate 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 606.1,  
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

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

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

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

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

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

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

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

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