

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2037 Session of 2021

INTRODUCED BY KEEFER, RYAN, ROTHMAN, BROOKS, BERNSTINE, HAMM,
GLEIM, COX AND MOUL, OCTOBER 29, 2021

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, OCTOBER 29, 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, 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.