

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 347 Session of 2023

INTRODUCED BY D. MILLER, BURGOS, GUZMAN, HOHENSTEIN, SANCHEZ, GUENST, MADDEN, HANBIDGE, RABB, PARKER, PASHINSKI, KINKEAD, HILL-EVANS, CIRESI, CONKLIN, FIEDLER, KRAJEWSKI, FREEMAN, N. NELSON, KHAN, BULLOCK, YOUNG AND GREEN, MARCH 13, 2023

REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MARCH 13, 2023

AN ACT

1 Amending the act of June 1, 1937 (P.L.1168, No.294), entitled
 2 "An act to protect the right of employes to organize and
 3 bargain collectively; creating the Pennsylvania Labor
 4 Relations Board; conferring powers and imposing duties upon
 5 the Pennsylvania Labor Relations Board, officers of the State
 6 government, and courts; providing for the right of employes
 7 to organize and bargain collectively; declaring certain labor
 8 practices by employers to be unfair; further providing that
 9 representatives of a majority of the employes be the
 10 exclusive representatives of all the employes; authorizing
 11 the board to conduct hearings and elections, and certify as
 12 to representatives of employes for purposes of collective
 13 bargaining; empowering the board to prevent any person from
 14 engaging in any unfair labor practice, and providing a
 15 procedure for such cases, including the issuance of a
 16 complaint, the conducting of a hearing, and the making of an
 17 order; empowering the board to petition a court of common
 18 pleas for the enforcement of its order, and providing a
 19 procedure for such cases; providing for the review of an
 20 order of the board by a court of common pleas on petition of
 21 any person aggrieved by such order, and establishing a
 22 procedure for such cases; providing for an appeal from the
 23 common pleas court to the Supreme Court; providing the board
 24 with investigatory powers, including the power to issue
 25 subpoenas and the compelling of obedience to them through
 26 application to the proper court; providing for service of
 27 papers and process of the board; prescribing certain
 28 penalties," further providing for definitions.

29 The General Assembly of the Commonwealth of Pennsylvania
 30 hereby enacts as follows:

1 Section 1. Section 3(d) of the act of June 1, 1937
2 (P.L.1168, No.294), known as the Pennsylvania Labor Relations
3 Act, is amended to read:

4 Section 3. Definitions. When used in this act--

5 * * *

6 (d) The term "employee" shall include any employe, and shall
7 not be limited to the employes of a particular employer, unless
8 the act explicitly states otherwise, and shall include any
9 individual whose work has ceased as a consequence of, or in
10 connection with, any current labor dispute, or because of any
11 unfair labor practice, and who has not obtained any other
12 regular and substantially equivalent employment, but shall not
13 include any individual employed [as an agricultural laborer, or]
14 in the domestic service of any person in the home of such
15 person, or any individual employed by his parent or spouse.

16 * * *

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