
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1307 Session of
2013

INTRODUCED BY DENLINGER, DUNBAR, GREINER, KRIEGER, BLOOM,
PICKETT, GROVE, AUMENT, HICKERNELL, MARSICO, CUTLER,
KAUFFMAN, F. KELLER, MILLER, TALLMAN, GINGRICH, CLYMER,
LAWRENCE, SAYLOR, SWANGER, TRUITT, MOUL AND FARRY,
MAY 1, 2013

REFERRED TO COMMITTEE ON EDUCATION, MAY 1, 2013

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," in collective bargaining, further
6 providing for the prohibition of strikes in certain
7 circumstances.

8 The General Assembly of the Commonwealth of Pennsylvania
9 hereby enacts as follows:

10 Section 1. Section 1131-A of the act of March 10, 1949
11 (P.L.30, No.14), known as the Public School Code of 1949,
12 amended July 5, 2012 (P.L.965, No.105), is amended to read:

13 Section 1131-A. Strikes Prohibited in Certain
14 Circumstances.--(a) One year after a contract impasse, the
15 Secretary of Education may request a public hearing in the
16 school district of impasse. The public hearing process shall
17 follow the following requirements:

18 (1) The hearing shall include testimony from the school
19 board of the district, school district administration, the

1 employe organization and any additional party requested by the
2 Secretary of Education.

3 (2) The public shall have thirty (30) days to submit written
4 testimony. Testimony may be received from experts commenting on
5 the social, emotional and educational well-being of the students
6 in the school district.

7 (3) Within ninety (90) days following the public hearing,
8 the Secretary of Education shall issue a report on
9 recommendations regarding the impasse.

10 (b) A strike must cease where the parties request fact-
11 finding for the duration of the fact-finding. A strike must end
12 where the parties agree to arbitration. Strikes are prohibited:

13 (1) During the period of up to ten (10) days provided for
14 under section 1125-A(a).

15 (2) During final best-offer arbitration, including the
16 period of up to ten (10) days after receipt of the determination
17 of the arbitrators during which the governing body of the school
18 entity may consider the determination.

19 (3) When the arbitrators' determination becomes final and
20 binding.

21 (4) If not authorized by secret ballot vote cast by the
22 majority of the members of the employe organization at a meeting
23 held by the employe organization in which a majority of its
24 membership is present. No proxies may be secured, solicited,
25 obtained or voted to establish a majority of the members of the
26 employe organization being present or a majority vote related to
27 a strike by the employe organization. If less than a majority of
28 the members of the employe organization is present at this
29 meeting, no vote related to a strike shall be taken at such
30 meeting. The meeting may not be conducted more than seventy-two

1 (72) hours prior to the effective date of the commencement of a
2 strike set forth in the written notice of the intent to strike
3 by the employe organization to the superintendent, executive
4 director or the director.

5 Section 2. This act shall take effect immediately.