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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 418 Session of  
2017

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INTRODUCED BY GABLER, F. KELLER, SANKEY, BARRAR, BLOOM, CUTLER,  
DUSH, ENGLISH, GROVE, A. HARRIS, PHILLIPS-HILL, IRVIN, JAMES,  
KAUFFMAN, KNOWLES, MCGINNIS, MENTZER, METCALFE, MILLARD,  
B. MILLER, PICKETT, RAPP, SIMMONS, STAATS, TALLMAN, TOPPER  
AND ZIMMERMAN, FEBRUARY 10, 2017

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, FEBRUARY 10, 2017

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AN ACT

1 Providing for transparency in public employment collective  
2 bargaining.

3 The General Assembly of the Commonwealth of Pennsylvania  
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Public  
7 Employment Collective Bargaining Act.

8 Section 2. Definitions.

9 The following words and phrases when used in this act shall  
10 have the meanings given to them in this section unless the  
11 context clearly indicates otherwise:

12 "Employee organization." An "employe organization" as  
13 defined in section 301(3) of the Public Employe Relations Act.

14 "Proposed collective bargaining agreement." The terms of  
15 bargaining between a public employer and an employe  
16 organization which:

- 1 (1) apply to wages, benefits and working conditions; and  
2 (2) are:  
3 (i) reduced to writing;  
4 (ii) agreed upon by designated representatives of  
5 the:  
6 (A) public employer; and  
7 (B) employee organization; and  
8 (iii) submitted for acceptance as a contract to the:  
9 (A) public employer; and  
10 (B) employee organization.

11 "Public employee." An employee of a public employer.

12 "Public employer." As defined in section 301(1) of the act  
13 of July 23, 1970 (P.L.563, No.195), known as the Public Employe  
14 Relations Act.

15 Section 3. Conflict with other statutes.

16 (a) Scope.--This section applies to the following  
17 provisions:

18 (1) Section 1125-A(g), (h) and (k) of the act of March  
19 10, 1949 (P.L.30, No.14), known as the Public School Code of  
20 1949.

21 (2) Section 7(a) of the act of June 24, 1968 (P.L.237,  
22 No.111), referred to as the Policemen and Firemen Collective  
23 Bargaining Act.

24 (b) Resolution.--In case of a conflict between this act and  
25 a provision identified in subsection (a), the provision  
26 identified in subsection (a) governs.

27 Section 4. Public notice.

28 (a) Requirement.--A public employer must provide notice to  
29 the public prior to accepting a proposed collective bargaining  
30 agreement as a contract.

1 (b) Posting or publishing.--

2 (1) Except as set forth in paragraph (2), the notice  
3 under subsection (a) must be posted on the public employer's  
4 publicly accessible Internet website:

5 (i) beginning at least 14 days prior to acceptance;

6 and

7 (ii) ending 30 days after acceptance.

8 (2) If a public employer does not have a publicly  
9 accessible Internet website, the public employer must publish  
10 the required notice once in a newspaper of general  
11 circulation at least two weeks prior to accepting a proposed  
12 collective bargaining agreement.

13 (3) The notice must include the following:

14 (i) A statement of the terms of the proposed  
15 collective bargaining agreement.

16 (ii) An estimate of the costs to the public employer  
17 associated with the proposed collective bargaining  
18 agreement.

19 (c) Effect of noncompliance.--A collective bargaining  
20 agreement entered into in violation of subsection (a) or (b)  
21 shall be void.

22 Section 5. Right-to-Know Law.

23 The following are public records subject to the act of  
24 February 14, 2008 (P.L.6, No.3), known as the Right-to-Know Law:

25 (1) A proposed collective bargaining agreement.

26 (2) Documents presented by a public employer or  
27 received by a public employer from an employee organization  
28 in the course of collective bargaining.

29 Section 6. Effective date.

30 This act shall take effect in 60 days.