

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 405 Session of 2023

INTRODUCED BY MASTRIANO, J. WARD AND STEFANO, FEBRUARY 21, 2023

REFERRED TO LABOR AND INDUSTRY, FEBRUARY 21, 2023

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 employee rights, providing  
 14 for reporting of dues and for annual report; in Pennsylvania  
 15 Labor Relations Board, providing for report availability;  
 16 and, in collective bargaining agreement, providing for  
 17 forwarding agreement to board.

18 The General Assembly of the Commonwealth of Pennsylvania  
 19 hereby enacts as follows:

20 Section 1. The act of July 23, 1970 (P.L.563, No.195), known  
 21 as the Public Employe Relations Act, is amended by adding  
 22 sections to read:

23 Section 402. (a) A public employe shall have the right to  
 24 examine the use of membership dues collected by the public  
 25 employe's employe organization in the collective bargaining unit  
 26 on a regular basis. An employe organization representing a

1 collective bargaining unit shall file a quarterly report to the  
2 board within fifteen business days of the end of a calendar  
3 quarter which contains the information specified under  
4 subsection (b).

5 (b) The report required in subsection (a) shall contain the  
6 following information:

7 (1) The names of all officers and employes of the employe  
8 organization.

9 (2) The annual salary and benefit costs of all officers and  
10 employes of the employe organization updated as of the date of  
11 the end of the calendar quarter, including any salary or benefit  
12 increase information that officers and employes received during  
13 the calendar quarter.

14 (3) A detailed summary of all expenses incurred by the  
15 employe organization during the calendar quarter, including  
16 information on travel by officers or employes of the employe  
17 organization to conventions, conferences, meetings and other  
18 activities which required the expenditure of membership dues  
19 collected by the employe organization or other fees voluntarily  
20 paid by nonmembers in the collective bargaining unit.

21 (4) Any independent expenditures as defined in section  
22 1621(e) of the act of June 3, 1937 (P.L.1333, No.320), known as  
23 the "Pennsylvania Election Code," made by the employe  
24 organization to influence elections, including the political  
25 cause or purpose being supported.

26 Section 403. If applicable, the employe organization shall  
27 provide the board with the annual report required to be filed  
28 under 29 U.S.C. Ch. 11 (relating to labor-management reporting  
29 and disclosure procedure).

30 Section 504. The board shall establish and maintain a

1 publicly accessible Internet website with the reports filed  
2 under Article IV and copies of all collective bargaining  
3 agreements filed under section 905.

4 Section 905. A public employer shall forward a copy of a  
5 collective bargaining agreement to the board within fifteen days  
6 of it being signed by both parties.

7 Section 2. This act shall take effect January 1, 2024, or  
8 immediately, whichever is later.