**THE GENERAL ASSEMBLY OF PENNSYLVANIA**

# HOUSE BILL

## No. 1305 Session of 2013

INTRODUCED BY DENLINGER, AUMENT, BLOOM, KAUFFMAN, F. KELLER, MUSTIO, TALLMAN, GINGRICH, HICKERNELL, MOUL, SWANGER AND GROVE, MAY 1, 2013

REFERRED TO COMMITEE 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 injunctive relief.

7      The General Assembly of the Commonwealth of Pennsylvania

8  hereby enacts as follows:

9      Section 1.  Section 1161-A of the act of March 10, 1949

10 (P.L.30, No.14), known as the Public School Code of 1949, added

11 July 9, 1992 (P.L.403, No.88), is amended to read:

12     Section 1161-A.  Injunctive Relief.--(a)  When an employe

13 organization is on strike for an extended period that would not

14 permit the school entity to provide the period of instruction

15 required by section 1501 by June 30, the Secretary of Education

16 may initiate, in the appropriate county court of common pleas,

17 appropriate injunctive proceedings providing for the required

18 period of instruction.

19     (b)  (1)  No court shall have the authority in proceedings

1  under this section or otherwise to require an employer and

2  employe organization to bargain or meet and discuss wages, hours

3  and other terms and conditions of employment or policy matters

4  affecting the same.

5      (2)  In the event that a strike prevents the school entity

6  from providing the period of instruction required by section

7  1501 by June 30 and an injunction under this section is not

8  sought by the Secretary of Education or granted in a timely

9  manner, the Secretary of Education may not withhold or reduce

10  the reimbursement of funds to the school entity for failing to

11  provide the required period of instruction.

12      Section 2.  This act shall take effect immediately.