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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 842 Session of  
2021

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INTRODUCED BY ROWE, GLEIM, GROVE, KAUFFMAN, KEEFER, B. MILLER,  
MOUL, RYAN AND ZIMMERMAN, MARCH 9, 2021

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REFERRED TO COMMITTEE ON LABOR AND INDUSTRY, MARCH 9, 2021

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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 definitions, further  
14 providing for definitions; and, in employe rights, providing  
15 for notice of right to resign membership.

16 The General Assembly of the Commonwealth of Pennsylvania  
17 hereby enacts as follows:

18 Section 1. Section 301(18) of the act of July 23, 1970  
19 (P.L.563, No.195), known as the Public Employe Relations Act, is  
20 amended to read:

21 Section 301. As used in this act:

22 \* \* \*

23 (18) "Maintenance of membership" means that all employes who  
24 have joined an employe organization or who join the employe

1 organization in the future must remain members for the duration  
2 of a collective bargaining agreement so providing with the  
3 proviso that any such employe or employes may resign from such  
4 employe organization during a period of [~~fifteen~~] forty-five  
5 days prior to the expiration of any such agreement.

6 \* \* \*

7 Section 2. The act is amended by adding a section to read:

8 Section 402. (a) A public employer shall notify, in  
9 writing, all public employes in a collective bargaining unit of  
10 their right to resign their membership in an employe  
11 organization during a period of forty-five days prior to the  
12 expiration of their collective bargaining agreement. Notice  
13 under this subsection shall be provided in January of each year.

14 (b) An employe organization representing members of a  
15 collective bargaining unit shall notify, in writing, the members  
16 of their right to resign their membership from the employe  
17 organization within a period of ten business days before the  
18 forty-five-day period prior to the expiration of their  
19 collective bargaining agreement.

20 Section 3. This act shall take effect in 30 days.