
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 166 Session of
2017

INTRODUCED BY EICHELBERGER, BARTOLOTTA, REGAN, SCARNATI, MARTIN,
YAW, ALLOWAY, FOLMER, GORDNER, RESCHENTHALER, AUMENT AND
CORMAN, JANUARY 20, 2017

REFERRED TO STATE GOVERNMENT, JANUARY 20, 2017

AN ACT

1 Providing for protection of paychecks of certain workers and for
2 the collection of political contributions.

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 Protection of
7 Public Employee Wages Act.

8 Section 2. Public policy.

9 The General Assembly finds and declares that it is the public
10 policy of this Commonwealth and the purpose of this act to
11 promote orderly and constructive relationships between employers
12 and their employees and that this overall policy may be
13 accomplished, at least in part, by ensuring public employers do
14 not collect money intended for political or other inappropriate
15 purposes from the wages of public employees.

16 Section 3. Definitions.

17 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Fair share fee." The regular membership dues required of
4 members of an employee organization acting as exclusive
5 representative less the cost for the previous fiscal year of its
6 activities or undertakings which were not reasonably employed to
7 implement or effectuate the duties of the employee organization
8 as exclusive representative. This definition shall stand in pari
9 materia with the definition of "fair share fee" in section 2215
10 of the act of April 9, 1929 (P.L.177, No.175), known as The
11 Administrative Code of 1929, and the definition of "fair share
12 fee" in section 2 of the act of June 2, 1993 (P.L.45, No.15),
13 known as the Public Employee Fair Share Fee Law.

14 "Political contribution." Money or funds appropriated to be
15 used for:

- 16 (1) a contribution, as defined in section 1621 of the
17 act of June 3, 1937 (P.L.1333, No.320), known as the
18 Pennsylvania Election Code;
- 19 (2) an independent expenditure, as defined in section
20 1621 of the Pennsylvania Election Code;
- 21 (3) an expenditure, as defined in section 1621 of the
22 Pennsylvania Election Code;
- 23 (4) lobbying, as defined in 65 Pa.C.S. § 13A03 (relating
24 to definitions);
- 25 (5) a voter registration drive;
- 26 (6) a get-out-the-vote drive; or
- 27 (7) any other electoral, political or legislative
28 purpose.

29 "Public employee." An individual employed by a public
30 employer, including a public school employee under the act of

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

3 "Public employer." The Commonwealth, a political
4 subdivision, a school district and any officer, board,
5 commission, agency, authority or other instrumentality thereof.

6 "Wages." Hourly rates of pay, salary or other form of
7 compensation due to an employee for services rendered.

8 Section 4. Protection of public employee wages.

9 (a) Paycheck protection.--A public employer may not deduct
10 from the wages of a public employee money or funds to be used
11 for political contributions, except as required by a valid
12 collective bargaining agreement entered into between a public
13 employer and a representative of its employees prior to the
14 effective date of this section. No individual or organization
15 shall seek to have a political contribution deducted from the
16 wages of a public employee. A collective bargaining agreement
17 entered into, renewed or extended on or after the effective date
18 of this section shall not contain provisions authorizing or
19 requiring the deduction of political contributions.

20 (b) Applicability.--Nothing in this section shall be
21 construed to preclude a public employer from:

- 22 (1) deducting a designated amount for a charitable
23 contribution expressly authorized by an employee; or
24 (2) if required to do so by a collective bargaining
25 agreement entered into with a representative of its
26 employees, deducting from the wages of an employee
27 organization member an amount equal to, but not greater than,
28 a fair share fee.

29 Section 5. Effective date.

30 This act shall take effect as follows:

- 1 (1) Section 4 shall take effect in 60 days.
- 2 (2) The remainder of this act shall take effect
- 3 immediately.