



# Legislative position

The mission of the Pennsylvania School Boards Association is to promote excellence in public education and school board governance through leadership, service and advocacy.

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SUBJECT: Position Paper – Senate Bill 645, P.N. 1090 (Senator Patrick Stefano)

DATE: January 26, 2016

## **PSBA POSITION ON Senate Bill 645**

### **Public Notice of Collective Bargaining Contracts**

#### ***PSBA Position: Oppose***

On behalf of the 4,500 elected officials who govern the commonwealth's public school districts, we request your opposition to Senate Bill 645, sponsored by Senator Patrick Stefano. Due to an October 2015 change to the PSBA Platform voted into effect by a majority of member delegates, PSBA opposes any measure that requires school districts to provide advance public notice and post terms of collective bargaining contracts prior to board action.

School board members and school employees maintain respectful working relationships every day. They bargain contracts in confidence, which allows for a free exchange of ideas and enables all parties to work in good faith. Collective bargaining agreements generally require compromise from both parties, which makes the confidential nature of their work so paramount. Taking that away, as Senate Bill 645 proposes to do, threatens their ability to reach such compromises, and lessens the chance of reaching agreements that are good for school districts, school employees, and taxpayers. School directors are elected by the general public to bargain in good faith on behalf of the district, and the taxpayers that elected them to serve. Current law does not prohibit districts from posting employee contracts online once they are approved, therefore all taxpayers have the ability to review contracts that were bargained in good faith by the board of directors and the employees and their union.

A requirement to publicly post the terms of a collective bargaining agreement prior to voting on the proposal will cause greater delays and hurdles in the process than already exist. PSBA has strong concerns that the public posting of such an agreement may result in more complicated negotiations and difficulty reaching a compromise on the final collective bargaining agreement.

Finally, while PSBA recognizes the public policy goal of providing additional transparency to taxpayers, school directors are elected by these very same taxpayers with the purpose of managing the operations of the school district on their behalf. Adding a public notice requirement to the collective bargaining process undermines school directors' statutorily defined public duty and their ability to act in a timely manner on the final steps of a bargaining agreement.

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***Summary:***

**Senate Bill 645 (Senator Patrick Stefano):** The Public Employer Collective Bargaining Transparency Acts would require a public employer to provide notice prior to signing a proposed collective bargaining agreement. The notice would include the terms of the proposed collective bargaining agreement as well as an estimated cost to the public employer that would be associated with the proposed agreement. The notice would be posted on the public employer's website for at least two weeks prior to the signing of the proposed collective bargaining agreement and continuing until at least 30 days after the signing of the collective bargaining agreement. If the public employer does not have a website the notice shall be published and accessible in the employer's main office.