



January 21, 2022
Pennsylvania House of Representatives
Labor and Industry Committee

RE: House Bill 845

Dear Representative,

On behalf of the more than 5,000 school directors and administrators who govern the commonwealth's school districts, intermediate units, and career and technology centers, **the Pennsylvania School Boards Association (PSBA) is writing to express our opposition to House Bill 845**, sponsored by Representative Rowe. In accordance with our member directed platform, PSBA opposes any measure that requires school districts to provide advance public notice and post terms of collective bargaining agreements (CBAs) 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. CBAs generally require compromise from both parties, which makes the confidential nature of their work so paramount. Taking that away, as House Bill 845 proposes to do, threatens their ability to reach such compromises, could cause significant delays in reaching final agreements, and increases the hurdles already inherent in a difficult process. Further, making all related documents and collective bargaining offers exchanged between the two parties subject to the Right-to-Know law during negotiations will have a chilling effect on the ability of districts to effectively negotiate with employee unions.

PSBA recognizes the public policy goal of providing additional transparency to taxpayers, but it is important to note that school directors are elected by these very same taxpayers with the purpose of managing the operations of the school district on their behalf, including CBAs. Current law does not prohibit districts from posting CBAs online during negotiation and some districts choose to perform negotiations in this manner. Other school districts choose to post at the time of contract approval – both methods allow for local control. The choice to post a CBA as a bargaining strategy is part of the negotiation process and should be a local choice.

If the committee is seeking reforms that would improve the contract negotiation process between public school employers and employees, PSBA would be happy to meet with legislators to discuss improvements to the process such as:

- Require a strike authorization vote to be approved by a majority of the entire bargaining unit in a secret ballot no more than 72 hours prior to the work stoppage.
- Remove the requirement that substitutes hired during the period of a strike must have been employed by the school district during the prior year.
- Additional reforms.

We appreciate your time and attention to these matters.