

# STRIKE-FREE Education Pact

Protects Parents...

Protects Teachers...

Protects Taxpayers...

Protects Every Pennsylvania Child's  
Right to an Uninterrupted





# 247,000 Pennsylvania Students and Counting Locked Out of School and Left Behind

● Thirty-seven (37) states prohibit teacher strikes.

● PA remains #1 in the nation as the “Teacher Strike Capital” of the United States.

## STRIKE--impacted children



2002-2003:	34,000
2003-2004:	37,000
2004-2005:	14,000
2005-2006:	44,000
2006-2007:	38,000
2007-2008:	24,000
2008-2009:	21,000
2009-2010:	35,000

● PA ranks in the top 20% nationally for average teacher salaries. Yet over the past decade, PA remains the national leader in public school lockouts with 94 teacher strikes.

### Pennsylvania: Teacher Strike Capital of the United States

Top 10 Salaries (Continental U.S.)	Average teacher salary 2009-2010	Collective Bargaining?	Right to Strike?
1. New York	\$71,470	Yes	NO
2. California	\$70,458	Yes	Yes
3. Massachusetts	\$68,000	Yes	NO
4. Maryland	\$65,333	Yes	NO
5. New Jersey	\$64,809	Yes	NO
6. District of Columbia	\$64,548	Yes	NO
7. Connecticut	\$64,350	Yes	NO
8. Illinois	\$62,007	Yes	Yes
9. Rhode Island	\$59,636	Yes	NO
10. Pennsylvania	\$58,124	Yes	Yes

Seven out of the top ten states (70%) for best-paid teachers prohibit strikes.  
Sources: National Education Association, Pennsylvania School Boards Association.

# House Bill 1369 STRIKE-FREE Education Act

## Sponsored By Representative Todd Rock (R-Franklin)

### Article 3, Section 14 of the Pennsylvania Constitution:

“The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth.”

#### Protects children & families

- ⇒ Strikes & lockouts are illegal
- ⇒ Financial penalties clearly defined:
  - ✂ \$5,000 individual fine per incident for inciting strike
  - ✂ Teachers lose two days of pay for each day of an illegal strike
  - ✂ Union loses dues check-off privilege for one year

#### Protects taxpayers

- ⇒ Strike threats eliminated
- ⇒ Public transparency and accountability (no ‘secret deals’)
- ⇒ No retroactive payments prevents huge tax bills

#### Protects teachers

- ⇒ Guaranteed mediation, fact-finding, arbitration, mandatory vote, mandatory negotiating and public transparency, to ensure fairness.
- ⇒ Teachers who are opposed to strikes will be guaranteed the right to work.

#### Respects Constitution & collective bargaining

- ⇒ Mutual agreement required (no binding arbitration)

## Public Scrutiny Facilitates Contract Settlement

Contract proposals must be made public and if both sides have not agreed to a new contract by June 16, then four negotiating sessions per month are mandated. In addition, both sides shall place their negotiators in front of the public at town-hall meetings, every six weeks, to explain their positions and answer questions. This increased level of public transparency is designed to encourage settlement without artificially forcing it via binding arbitration. Any unreasonable negotiating position would be exposed to public scrutiny.

# Negotiations Timeline

**September 30**  
Negotiations begin

**October 30**  
Written proposals  
(not public)

**January 15**  
Mediation

**February 15**  
Fact-finding  
(report public)

**April 15**  
Non-binding arbitration  
(both contract proposals  
made public)

**May 15**  
Arbitrator recommends  
one proposal in entirety  
(made public)

**June 15**  
Both sides mandatory vote  
(arbitrator proposal)

**June 30**  
'Face the Music'  
Public Town Hall Meeting

- No retroactive payments
- Mandatory four negotiations/month
- Public meetings every six weeks
- Mutual final agreement

## House Bill 1640 STRIKE-FREE Education Amendment Sponsored By Representative Daryl Metcalfe (R-Butler)

### Article 3, Section 14 of the Pennsylvania Constitution:

“The General Assembly shall provide for the maintenance and support of a thorough and efficient system of public education to serve the needs of the Commonwealth.”

### Outlaws teacher strikes and other public school employee lockouts by amending Article 3, Section 14 of the Pennsylvania Constitution with the following language:

- “and shall not provide for any lawful strike or lockout of employees of public education.”

### Empowers the people of Pennsylvania to permanently eliminate teacher strikes:

- Legislation must pass both chambers of the General Assembly in two consecutive sessions.
- After successful passage, Pennsylvania voters would have the opportunity to decide whether to permanently ban teacher strikes through a ballot referendum.

## STRIKE-FREE Education Amendment Corrects Erroneous 1993 PA Supreme Court Decision with Plain English

Teacher strikes have been ruled unconstitutional three straight times by Pennsylvania county courts (1978, 1989 and 1990). In 1993, the PA Supreme Court overturned each of these lower court decisions by refusing to consider whether teacher strikes violate Article 3, Section 14 of the PA Constitution. Once approved by Pennsylvania voters, the plain English language contained in the STRIKE-FREE Education Amendment would allow the legislature to exercise its respective Constitutional checks and balances authority to declare in no uncertain terms that teacher strikes and all other types of public school employee lockouts are both unconstitutional and illegal.



# STRIKE-FREE Education Pact House Bills 1369 & 1640



Representative

**Frank A. Farry**

142<sup>nd</sup> Legislative District

**District Offices:**

370 East Maple Avenue  
Suite 203

Langhorne, PA 19047  
Phone: (215) 752-6750  
Fax: (215) 752-6754

1500 Desire Avenue  
Feasterville, PA 19053  
Phone: (215) 942-4067  
Fax: (215) 942-4069

**Harrisburg Office:**

52-B East Wing  
PO Box 202142  
Harrisburg, PA 17120-2142  
Phone: (717) 260-6140  
Fax: (717) 772-9869

[www.repfarry.com](http://www.repfarry.com)