

Police and Firemen Collective Bargaining (Act 111)

Prior to the enactment of Act 111 (43 Pa.C.S. §217.1), policemen and firemen in Pennsylvania had no right to bargain collectively or strike. From a societal viewpoint, it made a lot of sense to prohibit these public servants from refusing to do their critical jobs by walking off the job. However, it put these public servants at a distinct disadvantage with their other counterparts in public service, because it prevented their effective negotiation for the better wages and benefits they so richly deserve. As a consequence, wages for these heroes remained low, benefits remained inadequate and fewer potential officers and firemen were willing to take on these dangerous jobs for inadequate pay.

The enactment of Act 111 continued the prohibition against striking, but initiated labor rights parallel to other unions, in the form of mandatory bargaining by municipal employers with their police and fire departments, subject to binding arbitration as to terms and conditions of employment and the adjustment of grievances.

Act 111 simply yet eloquently provides that:

Policemen or firemen employed by a political subdivision of the Commonwealth or by the Commonwealth shall, through labor organizations or other representatives designated by fifty percent or more of such policemen or firemen, have the right to bargain collectively with their public employers concerning the terms and conditions of their employment, including compensation, hours, working conditions, retirement, pensions and other benefits, and shall have the right to an adjustment or settlement of their grievances or disputes in accordance with the terms of this act.

This Act, along with other specialized laws for police and fire personnel (the "Heart and Lung Act - workers' compensation for policemen and firemen) have been instrumental in attracting more and better qualified candidates to police and fire public service, and improving the wage and benefits available in those careers.

If you have any questions regarding these issues, please contact me for a free consultation at 1-877-LAW-2555.

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