



# Pennsylvania Conference of Teamsters

## Strength in Numbers 95,000

# LEGISLATIVE ACTION ALERT

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## PA HOUSE BILL 950 RIGHT TO ORGANIZE

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for workers' rights.

### MEMORANDUM

**From:** Representative Elizabeth Fiedler and Rep. Nick Pisciotano  
**To:** All House members  
**Subject:** Right to Organize

Pennsylvania was built by workers who raised their voices in solidarity and demanded justice, fair wages, benefits, safe workplaces, and equity. By standing together, workers have been able to build a better life for their families and create a stronger Pennsylvania for everyone.

While the specifics of some workers' issues have changed over the decades, the strength that comes with organized labor remains a great force. The call for workers' rights was first heard in Philadelphia in 1786 when printers banded together and demanded a minimum wage of \$6 per week. Those efforts resonated across the Commonwealth among workers from the Northeast and Lehigh Valley, and throughout southwestern Pennsylvania which served as a cradle of the American Labor Movement during the industrial revolution. While the fight to protect the fundamental right to collectively bargain began 237 years ago, its relevance for Pa. families endures today. We believe it is well past time that the General Assembly cements this fundamental right in our Constitution.

Currently, the Pennsylvania Constitution does not guarantee workers the right to organize and collectively bargain. We plan to introduce legislation to amend Article I of the Pennsylvania Constitution to enshrine these rights for all workers in Pennsylvania. Additionally, this legislation would prohibit any other laws that may interfere with or diminish collective bargaining rights. Regardless of their occupation or which sector a worker is employed, all workers deserve the right to elect their representation and bargain for the conditions that are best for them.

**PA House Bill 950** passed the PA House On May 3, 2023 with all Democrats voting in favor of the bill and one Republican (Representative Mehaffie). The vote was 102 to 99. The bill will now move to the Republican-controlled Senate. Constitutional amendment bills must pass both chambers in two consecutive sessions before being put before the voters on the next ballot.

The passage of this constitutional amendment measure came after the House was successful earlier in passing a set of four tangentially related labor policy bills.



## **PA House Bill 760 Direct Deposit for Workers' Compensation**

This bill will amend Act 338 of 1915 (Workers' Compensation Act) by allowing individuals who qualify for workers' compensation to request their compensation through direct deposit into an account of their choosing.



## **PA House Bill 930 Expanding Workers' Compensation for Permanent Disfigurement**

This bill boosted those benefits for workers who have suffered disfigurement. Workers should be provided workers' compensation coverage for disfigurement regardless of where it occurs on their bodies.



## **PA House Bill 413 Contract Specifications for Independent Construction Contractors**

This bill addresses misclassification in the construction industry by further specifying that a worker would only be considered an independent contractor if the written contract is project-specific and time-specific. This change will make it harder for unethical employers to skirt the law. Employee misclassification is a widespread problem in Pennsylvania. This practice is particularly prevalent in the construction industry, where contractors and subcontractors may seek to cut the costs associated with having "employees" by classifying those employees as "independent contractors." This allows bad actors to get business that would have otherwise gone to law-abiding employers. Additionally, misclassified workers receive less protection under the law and miss out on the pay and benefits that they have earned. The state labor department has estimated costs Pennsylvania's unemployment compensation trust fund around \$91 million per year.



## **PA House Bill 299 The Jake Schwab Worker Safety Bill**

This Act providing for workplace health and safety standards for public employees; providing for powers and duties of the Secretary of Labor and Industry; establishing the Pennsylvania Occupational Safety and Health Review Board; providing for workplace inspections; and imposing penalties. This bill would have the state labor department adopt and enforce standards from the federal Occupational Safety and Health Administration (OSHA), applying those rules to public-sector workplaces that are not covered by OSHA itself.

All four bills passed with unanimous support from Democrats as well as a handful of positive votes from Republicans.

**Tell your PA Senators to support PA HB 950, PA HB 760, PA HB 930, PA HB 413 and PA HB 299**