

Committee on Governmental Oversight and Accountability

CS/CS/SB 1296, 1st Eng. — Public Employees Relations Commission

by Fiscal Policy Committee; Governmental Oversight and Accountability Committee; and Senator Martin

The bill amends several provisions relating to ch. 447, F.S., which governs public employee collective bargaining in the state.

The bill updates the statutory requirements for registration, certification, and recertification of employee organizations (unions) by the Public Employee Relations Commission. Specifically:

- A showing of interest form submitted with a union's application for certification or recertification must be signed by a bargaining unit employee within the last 12 months of the application filing.
- The threshold for employee approval for a non-public safety union's certification, recertification, and decertification is changed to require at least 50 percent of the total bargaining unit to participate in the election and at least 50 percent of those participants to vote affirmatively on the question.
- A combination of election methods (mail or on-site) may be used for a certification, recertification, or decertification election, based on specified considerations such as the number of available on-site polling locations, the commission's workload, and the size of the bargaining unit.
- The commission must conduct an election for certification, recertification, or decertification by mail ballot, if a party to the election so requests. In any mail ballot election, the commission must, subject to appropriation, include a return envelope with prepaid postage affixed.

Additionally, the bill:

- Clarifies the bargaining unit process which allows determination of the unit after a change in case or statutory law.
- Provides a general prohibition that a public employer cannot compensate or provide leave or benefits to a non-public safety unit employee for the purpose of engaging in employee organization activities, with specified exceptions. For example, such employees may engage in representational employee organization activities (duties such as engaging in collective bargaining, participating in grievances, or representing other employees in disciplinary proceedings) without a loss of pay or benefits if the employer and bargaining agent agree. Additionally, if an employee organization fully reimburses the public employer, an employee may engage in employee organization activities (duties such as promoting or soliciting membership in a union, seeking certification as a bargaining agent, or engaging in specific political activity) as agreed to pursuant to a collective bargaining agreement. This prohibition does not apply to unions representing public safety field workers, whose members may still engage in paid union leave for these activities without the union having to fully reimburse the public employer.
- Requires a public employer to allow equal access to communal spaces or internal communications systems by any employee organization or petitioning public employee.

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- Institutes a fast-track impasse process for local government salary increases specifically appropriated by the Legislature which require modification of a bargaining agreement. This process does not apply to salary increases appropriated for employees in public safety bargaining units.
- Conforms various hearing procedures and timeframes to those in ss. 120.569 and 120.57, F.S., of the Administrative Procedures Act.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect on July 1, 2026.

Vote: Senate 20-14; House 73-37