

By Senator Bronson

18-1489-00

1 A bill to be entitled
2 An act relating to public employee collective
3 bargaining disputes; amending s. 447.403, F.S.;
4 requiring the governing body of a public
5 employer to resolve certain disputed impasse
6 issues that have a financial impact on the
7 employer; providing a limitation on the
8 resolution of nonfinancial issues; providing an
9 effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (4) of section 447.403, Florida
14 Statutes, is amended to read:

15 447.403 Resolution of impasses.--

16 (4) In the event that either the public employer or
17 the employee organization does not accept, in whole or in
18 part, the recommended decision of the special master:19 (a) The chief executive officer of the governmental
20 entity involved shall, within 10 days after rejection of a
21 recommendation of the special master, submit to the
22 legislative body of the governmental entity involved a copy of
23 the findings of fact and recommended decision of the special
24 master, together with the chief executive officer's
25 recommendations for settling the disputed impasse issues. The
26 chief executive officer shall also transmit his or her
27 recommendations to the employee organization. If the dispute
28 involves employees for whom the Board of Regents is the public
29 employer, the Governor may also submit recommendations to the
30 legislative body for settling the disputed impasse issues;

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1 (b) The employee organization shall submit its
2 recommendations for settling the disputed impasse issues to
3 such legislative body and to the chief executive officer;

4 (c) The legislative body or a duly authorized
5 committee thereof shall forthwith conduct a public hearing at
6 which the parties shall be required to explain their positions
7 with respect to the rejected recommendations of the special
8 master;

9 (d) Thereafter, the legislative body shall take such
10 action as it deems to be in the public interest, including the
11 interest of the public employees involved, to resolve all
12 disputed impasse issues that have a financial impact on the
13 public employer. However, it may not attempt to resolve any
14 such issues that have no financial impact on the public
15 employer. The special master's recommendation shall be
16 accepted by the parties on those issues; and

17 (e) Following the resolution of the disputed impasse
18 issues by the legislative body, the parties shall reduce to
19 writing an agreement which includes those issues agreed to by
20 the parties and those disputed impasse issues resolved by the
21 legislative body's action taken pursuant to paragraph (d).
22 The agreement shall be signed by the chief executive officer
23 and the bargaining agent and shall be submitted to the public
24 employer and to the public employees who are members of the
25 bargaining unit for ratification. If such agreement is not
26 ratified by all parties, pursuant to the provisions of s.
27 447.309, the legislative body's action taken pursuant to the
28 provisions of paragraph (d) shall take effect as of the date
29 of such legislative body's action for the remainder of the
30 first fiscal year which was the subject of negotiations;
31 however, the legislative body's action shall not take effect

1 with respect to those disputed impasse issues which establish
2 the language of contractual provisions which could have no
3 effect in the absence of a ratified agreement, including, but
4 not limited to, preambles, recognition clauses, and duration
5 clauses.

6 Section 2. This act shall take effect July 1, 2000.

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SENATE SUMMARY

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Requires the governing body of a public employer to
resolve certain disputed impasse issues in a collective
bargaining dispute which have a financial impact on the
employer. Prohibits the governing body from resolving
nonfinancial issues.

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