

By Senator Lawson

3-1336-02

See HB

1 A bill to be entitled
2 An act relating to the Public Employees
3 Relations Commission; amending s. 447.207,
4 F.S.; requiring the commission to report
5 certain information each year to the
6 Legislature; amending s. 447.305, F.S.;
7 specifying conditions for denial or revocation
8 of registration by employee organizations;
9 specifying a uniform date for registrations;
10 requiring additional information in
11 applications for registration; providing for
12 denial of registration under certain
13 circumstances; authorizing the commission to
14 impose fines under certain circumstances;
15 revising a prescribed registration fee;
16 providing for retention by the commission of
17 certain funds; providing an effective date.

18
19 Be It Enacted by the Legislature of the State of Florida:

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21 Section 1. Subsection (12) is added to section
22 447.207, Florida Statutes, to read:

23 447.207 Commission; powers and duties.--

24 (12) The commission shall file a report with the
25 President of the Senate and the Speaker of the House of
26 Representatives by January 1 of each year identifying the
27 employee organizations registered or certified by the
28 commission and any employee organizations whose registration
29 or certification has been revoked by the commission.

30 Section 2. Subsections (1), (2), and (3) of section
31 447.305, Florida Statutes, are amended to read:

1 447.305 Registration of employee organization.--

2 (1) Every employee organization seeking to become a
3 certified bargaining agent for public employees shall register
4 with the commission pursuant to the procedures set forth in s.
5 120.60 prior to requesting recognition by a public employer
6 for purposes of collective bargaining and prior to submitting
7 a petition to the commission requesting certification as an
8 exclusive bargaining agent. Further, if such employee
9 organization is not registered, it may not participate in a
10 representation hearing, participate in a representation
11 election, or be certified as an exclusive bargaining agent.
12 The application for registration required by this section
13 shall be under oath and in such form as the commission may
14 prescribe and shall include:

15 (a) The name and address of the organization and of
16 any parent organization or any state, national, or
17 international organization with which it is affiliated.

18 (b) The names, titles, telephone numbers, and
19 addresses of the principal officers and all representatives of
20 the organization and the names, titles, and telephone numbers
21 of the officers of any state, national, or international
22 organization with which it is affiliated.

23 (c) The amount of the initiation fee, if any, and of
24 the annual monthly dues that which members of each bargaining
25 unit must pay.

26 (d) The current annual financial statement of the
27 organization.

28 (e) The name of its business agent, if any; if
29 different from the business agent, the name of its local agent
30 for service of process; and the addresses where such person or
31 persons can be reached.

1 (f) A pledge, in a form prescribed by the commission,
2 that the employee organization will conform to the laws of the
3 state and that it will accept members without regard to age,
4 race, sex, religion, or national origin.

5 (g) A copy of the current constitution and bylaws of
6 the employee organization.

7 (h) A copy of the current constitution and bylaws of
8 the state and national groups with which the employee
9 organization is affiliated or associated. In lieu of this
10 provision, and upon adoption of a rule by the commission, a
11 state or national affiliate or parent organization of any
12 registering labor organization may annually submit a copy of
13 its current constitution and bylaws.

14 (2) A registration granted to an employee organization
15 pursuant to the provisions of this section shall run until
16 July 1 following ~~for 1 year from~~ the date of issuance. A
17 registration shall be renewed each year ~~annually~~ by filing
18 application for renewal, by July 1, under oath with the
19 commission, which application shall reflect any changes in the
20 information provided to the commission in conjunction with the
21 employee organization's preceding application for registration
22 or previous renewal, whichever is applicable. Each
23 application for renewal of registration shall include a
24 current annual financial report, signed by its president and
25 treasurer or corresponding principal officers, containing the
26 following information in such detail as may be necessary
27 accurately to disclose its financial condition and operations
28 for its preceding fiscal year and in such categories as the
29 commission may prescribe:

30 (a) Assets and liabilities at the beginning and end of
31 the fiscal year;

- 1 (b) Receipts of any kind and the sources thereof;
- 2 (c) Salary, allowances, and other direct or indirect
3 disbursements, including reimbursed expenses, to each officer
4 and also to each employee who, during such fiscal year,
5 received more than \$10,000 in the aggregate from such employee
6 organization and any other employee organization affiliated
7 with it or with which it is affiliated or which is affiliated
8 with the same national or international employee organization
9 and list the annual salaries of each of the principal officers
10 of all state and national or international affiliates;
- 11 (d) Direct and indirect loans made to any officer,
12 employee, or member which aggregated more than \$250 during the
13 fiscal year, together with a statement of the purpose,
14 security, if any, and arrangements for repayment; and
- 15 (e) Direct and indirect loans to any business
16 enterprise, together with a statement of the purpose,
17 security, if any, and arrangements for repayment.
- 18 (f) The annual dollar amount of the following benefit
19 packages paid to each of the principal officers of the
20 organization that is seeking to be named the bargaining agent
21 for employees of a bargaining unit and of the principal
22 officers of each of all state and national affiliates:
- 23 1. Health, major medical, vision, or dental insurance.
24 2. Life insurance.
25 3. Retirement plans.
26 4. Automobile allowances.
- 27 (g) The amount of the salary of any officers of the
28 organization seeking to be named the bargaining agent for
29 employees of a bargaining unit that may be paid by the public
30 employer but whose salary is all or partially reimbursed to
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1 the public employer from the employee organization seeking to
2 become the bargaining agent for public employees.

3 (h) Separately, each of the different bargaining units
4 and the number of dues-paying members of each bargaining unit
5 to be represented by the employee organization seeking to
6 become the bargaining agent for public employees as of June 30
7 immediately preceding the filing.

8 (i) Separately, the per-member amount of annual dues
9 sent from the employee organization seeking to become the
10 bargaining agent for public employees to each state, national,
11 or international affiliate.

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13 Any application for renewal of registration that fails to
14 include all of such information or which is not timely filed
15 shall be denied. However, in lieu of denial, the commission
16 may impose a fine for late filing not to exceed \$1,000 or a
17 fine for each item of information not included not to exceed
18 \$50 per omission. An employee organization shall report
19 changes in such information to the commission at the end of
20 each calendar quarter of the fiscal year. Failure to timely
21 report changes in such information or the incomplete reporting
22 of such changes shall result, at the commission's discretion,
23 in revocation of registration or in a fine for late filing not
24 to exceed \$500 or a fine not to exceed \$50 per unreported or
25 incompletely reported change. For purposes of this part, an
26 employee organization's fiscal year shall be the same as the
27 state's fiscal year. All such moneys collected by the
28 commission shall be retained by the commission and used to
29 further its activities.

30 (3) A registration fee shall accompany each
31 application filed with the commission. The amount charged for

1 an application for registration or renewal of registration
2 shall be \$1 per member calculated upon the number of members
3 as of June 30 immediately preceding the filing, but in no case
4 shall the amount not exceed \$1,000~~\$15~~. All such money
5 collected by the commission shall be retained by the
6 commission and used to further its activities ~~deposited in the~~
7 ~~General Revenue Fund.~~

8 Section 3. This act shall take effect upon becoming a
9 law.

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11 HOUSE SUMMARY

12 Requires the Public Employees Relations Commission to
13 report to the Legislature each year. Provides for denial
14 or revocation of the registration of an employee
15 organization. Provides for a uniform date for
16 registration of employee organizations. Requires
17 additional information for applications for registration.
18 Authorizes the commission to deny applications for
19 registration or impose fines for failing to provide
20 specified information or report changes in specified
21 information. Revises the registration fee and authorizes
22 the commission to retain funds heretofore deposited into
23 the General Revenue Fund. See bill for details.
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