



HB 1437

2003

1 A bill to be entitled

2 An act relating to public employers; amending s. 447.203,
3 F.S.; providing successor public employers to the Florida
4 Board of Education; amending s. 447.309, F.S.; providing
5 specific obligations for successor public employers;
6 providing an effective date.

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

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10 Section 1. Subsection (2) of section 447.203, Florida
11 Statutes, is amended to read:

12 447.203 Definitions.--As used in this part:

13 (2) "Public employer" or "employer" means the state or any
14 county, municipality, or special district or any subdivision or
15 agency thereof which the commission determines has sufficient
16 legal distinctiveness properly to carry out the functions of a
17 public employer. With respect to all public employees
18 determined by the commission as properly belonging to a
19 statewide bargaining unit composed of State Career Service
20 System employees or Selected Professional Service employees, the
21 Governor shall be deemed to be the public employer; and the
22 university board of trustees shall be deemed to be the successor
23 public employer to the Florida Board of Education with respect
24 to all public employees of the respective state university. The
25 board of trustees of a community college shall be deemed to be
26 the public employer with respect to all employees of the
27 community college. The district school board shall be deemed to
28 be the public employer with respect to all employees of the
29 school district. The Board of Trustees of the Florida School
30 for the Deaf and the Blind shall be deemed to be the public



HB 1437

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31 employer with respect to the academic and academic
32 administrative personnel of the Florida School for the Deaf and
33 the Blind. The Governor shall be deemed to be the public
34 employer with respect to all employees in the Correctional
35 Education Program of the Department of Corrections established
36 pursuant to s. 944.801.

37 Section 2. Subsection (6) is added to section 447.309,
38 Florida Statutes, to read:

39 447.309 Collective bargaining; approval or rejection.--

40 (6) If there is material change in the identity or
41 structure of the public employer, the successor public employer
42 shall maintain the existing wages, hours, and terms and
43 conditions of employment, including those set forth in a
44 collective bargaining agreement, which are in effect at the time
45 of the change for all public employees represented by a
46 certified bargaining agent. The successor public employer shall
47 continue to bargain, upon proper request, with the certified
48 bargaining agent over any changes in such terms and conditions
49 until the commission determines that the new entity is not a
50 successor employer.

51 Section 3. This act shall take effect July 1, 2003.