

By Senator Smith

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A bill to be entitled
An act relating to public employers; amending
s. 447.203, F.S.; providing successor public
employers to the Florida Board of Education;
amending s. 447.309, F.S.; providing specific
obligations for successor public employers;
providing an effective date.

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

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

447.203 Definitions.--As used in this part:

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

1 the Blind shall be deemed to be the public employer with
2 respect to the academic and academic administrative personnel
3 of the Florida School for the Deaf and the Blind. The
4 Governor shall be deemed to be the public employer with
5 respect to all employees in the Correctional Education Program
6 of the Department of Corrections established pursuant to s.
7 944.801.

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

10 447.309 Collective bargaining; approval or
11 rejection.--

12 (6) If there is material change in the identity or
13 structure of the public employer, the successor public
14 employer shall maintain the existing wages, hours, and terms
15 and conditions of employment, including those set forth in a
16 collective bargaining agreement, which are in effect at the
17 time of the change for all public employees represented by a
18 certified bargaining agent. The successor public employer
19 shall continue to bargain, upon proper request, with the
20 certified bargaining agent over any changes in such terms and
21 conditions until the commission determines that the new entity
22 is not a successor employer.

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

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26 SENATE SUMMARY

27 Provides that for certain collective bargaining, the
28 respective university board of trustees is the successor
29 public employer to the Florida Board of Education.
30 Provides specific obligations for successor public
31 employers.