



702576

CHAMBER ACTION

| <u>Senate</u> | . | <u>House</u> |
|---------------|---|--------------|
| Comm: WD | . | |
| 4/24/2008 | . | |
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| | . | |

1 The Committee on Transportation and Economic Development
2 Appropriations (Hill) recommended the following **amendment**:

3
4 **Senate Amendment (with title amendment)**

5 Between line(s) 2817 and 2818,
6 insert:

7
8 Section 53. Section 341.3024, Florida Statutes, is created
9 to read:

10 341.3024 Rail corridors; labor union agreements.--The
11 department or any government agency or authority designated by
12 the department to own or administer a rail corridor, and any and
13 all contractors engaged to perform work or service on a rail
14 corridor or to operate or provide commuter rail service on a rail
15 corridor, shall enter a written agreement with any labor union
16 representing employees working on the acquired rail corridor
17 which requests such a written agreement concerning the continued



702576

18 employment of the employees represented by such union and the
19 hiring of other employees to provide work on the rail corridor
20 under the terms of such labor union's collective bargaining
21 agreement applicable on the rail corridor as employees of a rail
22 carrier, continuation of representation of employees performing
23 work under that collective bargaining agreement by the labor
24 union currently representing such employees, and the binding of
25 any successor or assign or replacement agency or contractor to
26 the terms of the written agreement. Such written agreement shall,
27 at a minimum, contain the following provisions:

28 (1) Provisions requiring that any governmental agency or
29 authority designated by the department to own or administer a
30 rail corridor to operate commuter rail service, or any and all
31 contractors engaged to perform work or service on a rail corridor
32 or to operate or provide commuter rail service on a rail
33 corridor, shall be a rail carrier under the federal Interstate
34 Commerce Commission Termination Act, the Railway Labor Act, the
35 Federal Employees Liability Act, and the Railroad Retirement Act.

36 (2) Adoption in full of the labor union's collective
37 bargaining agreement as an agreement between the labor union and
38 the department or any government agency or authority designated
39 by the department to own or administer a rail corridor, or any
40 contractor engaged to perform work or service or to provide
41 commuter rail service on a rail corridor.

42 (3) Provisions requiring that any contract operator for the
43 department or any government agency or authority designated by
44 the department to own or administer a rail corridor will agree to
45 be bound by the written agreement referred to in this section and
46 that any contract between the department or any government agency
47 or authority designated by the department to own or administer a



702576

48 rail corridor and any contractor will include a provision binding
49 the contractor to the written agreement referred to in this
50 section.

51 (4) Provisions requiring that all rates of pay, rules, and
52 working conditions and rights, privileges, and benefits of
53 employees working under the labor union's collective bargaining
54 agreements must be preserved and continued.

55 (5) Provisions requiring that if the department or any
56 government agency or authority designated by the department to
57 own or administer a rail corridor or any contractor for the
58 department or such designated agency or authority contemplates a
59 change which will result in the dismissal or displacement of
60 employees, at least 45 days' written notice will be given to the
61 labor union representing such employees with information about
62 the planned changes and their likely effects on employees and
63 requiring negotiation or arbitration resulting in a new written
64 agreement concerning any such change.

65 (6) Provisions requiring that the written agreement is
66 binding on any and all of the successors and assigns of the
67 department, any government agency or authority designated by the
68 department to own or administer a rail corridor, and any
69 contractor engaged by the department to operate commuter rail
70 service or provide other work or service on the rail corridor.

71
72 ===== T I T L E A M E N D M E N T =====

73 And the title is amended as follows:

74 On line(s) 216, after the semicolon,
75 insert:



702576

76 | creating s. 341.3024, F.S.; providing requirements for
77 | agreements with labor unions representing certain
78 | employees working on an acquired rail corridor;