

1 A bill to be entitled
 2 An act relating to collective bargaining; amending s.
 3 447.03, F.S.; authorizing employees who are members of a
 4 labor organization to decertify the labor organization or
 5 its certified bargaining agent; requiring labor
 6 organizations to provide specified notice; amending s.
 7 447.07, F.S.; providing members of a labor organization
 8 with access to the organization's accounting information;
 9 requiring labor organizations to provide specified notice;
 10 creating s. 447.18, F.S.; providing for enforcement;
 11 providing for the award of damages, injunctive relief, and
 12 civil penalties; providing an effective date.

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

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 16 Section 1. Section 447.03, Florida Statutes, is amended to
 17 read:

18 447.03 Employees' right of self-organization.—

19 (1) Employees shall have the right to self-organization,
 20 to form, join, or assist labor unions or labor organizations or
 21 to refrain from such activity, to bargain collectively through
 22 representatives of their own choosing, and to engage in
 23 concerted activities, for the purpose of collective bargaining
 24 or other mutual aid or protection.

25 (2) Employees who are members of a labor organization may
 26 decertify the labor organization or its certified bargaining
 27 agent certified by the Public Employees Relations Commission as
 28 representing the employees in a bargaining unit, as provided in

29 s. 447.307, at any time. A labor organization shall annually
 30 provide to its members a written notice explaining the rights of
 31 a member under state and federal law to decertify, collectively
 32 with other members, the labor organization or its certified
 33 bargaining agent. The notice must include an explanation of the
 34 requirements under state and federal law for filing a petition
 35 to revoke certification, as well as a sample petition.

36 Section 2. Section 447.07, Florida Statutes, is amended to
 37 read:

38 447.07 Records and accounts required to be kept; access to
 39 records.—

40 (1) ~~A~~ It shall be the duty of any and all labor
 41 organization shall organizations in this state to keep accurate
 42 books of accounts itemizing all receipts from each ~~whatsoever~~
 43 source and expenditures for each ~~whatsoever~~ purpose, stating
 44 such sources and purposes.

45 (2) ~~A~~ Any member of a ~~such~~ labor organization may, ~~shall~~
 46 ~~be entitled~~ at any all reasonable time, ~~times~~ to inspect the
 47 books, records, and accounts of the ~~such~~ labor organization.

48 (3) A member of a labor organization may receive an annual
 49 written account of the records, receipts, expenditures, and
 50 accounts specified under this section. A labor organization
 51 shall annually provide to its members a written notice detailing
 52 the expenditures and receipts of the labor organization for the
 53 previous 12 months. The notice must include an accurate
 54 explanation of the manner in which the dues of the members were
 55 spent on items related, but not limited, to political
 56 contributions and administrative salaries.

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57 Section 3. Section 447.18, Florida Statutes, is created to
58 read:

59 447.18 Enforcement.—Notwithstanding s. 447.14, the
60 Attorney General shall enforce the protections of ss. 447.03 and
61 447.07 on behalf of any aggrieved member of a labor
62 organization. If there is reasonable cause to believe that the
63 aggrieved member's rights under ss. 447.03 and 447.07 have been
64 violated by a labor organization, the Attorney General shall
65 commence a civil or administrative action for damages,
66 injunctive relief, and civil penalties or may negotiate a
67 settlement with any labor organization on behalf of any member
68 of a labor organization aggrieved under this section.

69 Section 4. This act shall take effect July 1, 2011.