

By Senator Hays

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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  
4           a labor organization to decertify the labor  
5           organization or its certified bargaining agent;  
6           requiring labor organizations to provide specified  
7           notice; amending s. 447.07, F.S.; providing members of  
8           a labor organization with access to the organization's  
9           accounting information; requiring labor organizations  
10          to provide specified notice; creating s. 447.18, F.S.;  
11          providing for enforcement; providing for the award of  
12          damages, injunctive relief, and civil penalties;  
13          providing an effective date.

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

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

19           447.03 Employees' right of self-organization.—

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

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

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

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

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

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

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

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

58 Section 3. Section 447.18, Florida Statutes, is created to

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59 read:

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

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