

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Budget Committee

BILL: SB 2128 (SPB 7140)

INTRODUCER: Budget Committee

SUBJECT: Public Employees Relations Commission

DATE: April 1, 2011

REVISED: \_\_\_\_\_

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Betta	Meyer, C.		<b>SPB 7140 Favorable</b>
2.				
3.				
4.				
5.				
6.				

**I. Summary:**

This bill changes two members of the Public Employees Relations Commission (commission) from full time to part time, which provides a recurring cost savings of \$125,652 to the Public Employees Relations Commission Trust Fund within the commission. The bill permits the part-time members to engage in other employment activities, provided that they do not conflict with their commission duties.

This bill substantially amends section 447.205, Florida Statutes.

**II. Present Situation:**

The Public Employees Relations Commission is a quasi-judicial agency created in 1975. Its purpose is to resolve public sector labor and employment disputes and to enforce the state's labor policy of promoting harmonious and cooperative relationships between government and its employees.

The commission is composed of a total of 28 employees, which include a chair and two full time commissioners appointed by the Governor, subject to Senate confirmation, for overlapping terms of four years. The chair, as agency head, is responsible for the administrative and operational functions of the agency. The commission's hearing officers hold formal evidentiary hearings throughout the state on public sector labor and employment disputes and issue recommended orders to the commission. The hearing officers must be members of the Florida Bar for at least five years. The commission reviews the record in each case to determine whether there is competent, substantial evidence to support the hearing officer's factual findings and whether the

law was applied correctly by the hearing officer. The commission then issues a final order, which can be appealed directly to a state district court of appeal.

The commission's funding is 47.5 percent appropriated from the General Revenue Fund and 52.5 percent from its Public Employees Relations Commission Trust Fund. The revenue source for the commission's trust fund is mainly 0.1 percent of 8.814 percent of the Local Government Half-Cent Sales Tax.

### **III. Effect of Proposed Changes:**

This bill requires that the Public Employees Relations Commission be composed of a chair and two part-time members rather than two full-time members. The bill permits the part-time members to engage in other employment activities, provided that they do not conflict with their commission duties.

The bill provides a cost savings of \$125,652 and has been reduced in the salaries and benefits appropriation category from the commission's budget within the General Appropriations Act. This reduction helps alleviate a trust fund shortage.

### **IV. Constitutional Issues:**

#### **A. Municipality/County Mandates Restrictions:**

None.

#### **B. Public Records/Open Meetings Issues:**

None.

#### **C. Trust Funds Restrictions:**

None.

### **V. Fiscal Impact Statement:**

#### **A. Tax/Fee Issues:**

None.

#### **B. Private Sector Impact:**

None

#### **C. Government Sector Impact:**

The bill changes two members of the Public Employees Relations Commission from full time to part time, which provides a recurring cost savings of \$125,652 to the Public Employees Relations Commission Trust Fund within the commission. According to the

commission, part-time commissioners are sufficient to meet the workload demands with little to no impact on the ability to hear cases.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Additional Information:**

**A. Committee Substitute – Statement of Substantial Changes:**  
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.