

By Senator Hays

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1 A bill to be entitled
2 An act relating to collective bargaining agreements;
3 amending s. 440.211, F.S.; deleting a requirement that
4 a provision that is mutually agreed upon in any
5 collective bargaining agreement must be filed with the
6 Department of Financial Services; providing an
7 effective date.

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

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11 Section 1. Subsection (1) of section 440.211, Florida
12 Statutes, is amended to read:

13 440.211 Authorization of collective bargaining agreement.—

14 (1) Subject to the limitation stated in subsection (2), a
15 provision that is mutually agreed upon in any collective
16 bargaining agreement ~~filed with the department~~ between an
17 individually self-insured employer or other employer upon
18 consent of the employer's carrier and a recognized or certified
19 exclusive bargaining representative establishing any of the
20 following shall be valid and binding:

21 (a) An alternative dispute resolution system to supplement,
22 modify, or replace the provisions of this chapter which may
23 include, but is not limited to, conciliation, mediation, and
24 arbitration. Arbitration held pursuant to this section shall be
25 binding on the parties.

26 (b) The use of an agreed-upon list of certified health care
27 providers of medical treatment which may be the exclusive source
28 of all medical treatment under this chapter.

29 (c) The use of a limited list of physicians to conduct

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30 independent medical examinations which the parties may agree
31 shall be the exclusive source of independent medical examiners
32 pursuant to this chapter.

33 (d) A light-duty, modified-job, or return-to-work program.

34 (e) A vocational rehabilitation or retraining program.

35 Section 2. This act shall take effect July 1, 2012.