

By Senator Stewart

13-00568-20

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1                   A bill to be entitled  
2       An act relating to collective bargaining for  
3       instructional personnel; amending s. 1012.2315, F.S.;  
4       removing a requirement that each school district and  
5       the certified collective bargaining unit for  
6       instructional personnel within each district negotiate  
7       a specified memorandum of understanding; removing a  
8       requirement that certain certified collective  
9       bargaining units include specified information in  
10      their applications for renewal of registration;  
11      removing a requirement that certain employee  
12      organizations petition the Public Employees Relations  
13      Commission for recertification; providing an effective  
14      date.

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

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18       Section 1. Subsection (4) of section 1012.2315, Florida  
19      Statutes, is amended to read:

20       1012.2315 Assignment of teachers.—

21       (4) COLLECTIVE BARGAINING.—

22       ~~(a)~~ Notwithstanding provisions of chapter 447 relating to  
23      district school board collective bargaining, collective  
24      bargaining provisions may not preclude a school district from  
25      providing incentives to high-quality teachers and assigning such  
26      teachers to low-performing schools.

27       ~~(b) Before the start of the 2019-2020 school year, each~~  
28      ~~school district and the certified collective bargaining unit for~~  
29      ~~instructional personnel shall negotiate a memorandum of~~

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30 ~~understanding that addresses the selection, placement, and~~  
31 ~~expectations of instructional personnel and provides school~~  
32 ~~principals with the autonomy described in s. 1012.28(8).~~

33 ~~(c)1. In addition to the provisions under s. 447.305(2), an~~  
34 ~~employee organization that has been certified as the bargaining~~  
35 ~~agent for a unit of instructional personnel as defined in s.~~  
36 ~~1012.01(2) must include for each such certified bargaining unit~~  
37 ~~the following information in its application for renewal of~~  
38 ~~registration:~~

39 ~~a. The number of employees in the bargaining unit who are~~  
40 ~~eligible for representation by the employee organization.~~

41 ~~b. The number of employees who are represented by the~~  
42 ~~employee organization, specifying the number of members who pay~~  
43 ~~dues and the number of members who do not pay dues.~~

44 ~~2. Notwithstanding the provisions of chapter 447 relating~~  
45 ~~to collective bargaining, an employee organization whose dues~~  
46 ~~paying membership is less than 50 percent of the employees~~  
47 ~~eligible for representation in the unit, as identified in~~  
48 ~~subparagraph 1., must petition the Public Employees Relations~~  
49 ~~Commission pursuant to s. 447.307(2) and (3) for recertification~~  
50 ~~as the exclusive representative of all employees in the unit~~  
51 ~~within 1 month after the date on which the organization applies~~  
52 ~~for renewal of registration pursuant to s. 447.305(2). The~~  
53 ~~certification of an employee organization that does not comply~~  
54 ~~with this paragraph is revoked.~~

55 Section 2. This act shall take effect July 1, 2020.