

By Senator Baxley

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1 A bill to be entitled
2 An act relating to employee organizations; amending s.
3 1012.2315, F.S.; requiring employee organizations that
4 have been certified as the bargaining agent for
5 educational support employees to include specified
6 information in applications for renewal of
7 registration; revising the information that employee
8 organizations certified as the bargaining agent for a
9 unit of instructional personnel or educational support
10 employees must report in applications for renewal of
11 registration; requiring that an employee organization
12 whose full dues-paying membership as of a specified
13 date is less than 50 percent of eligible employees to
14 petition the Public Employees Relations Commission for
15 recertification; authorizing the commission to conduct
16 an investigation to confirm the validity of certain
17 information; requiring the commission to adopt rules;
18 requiring instructional personnel and educational
19 support employees who are represented by an employee
20 organization and have union dues and uniform
21 assessments deducted from their salary to submit a
22 specified form to school districts by a certain date
23 and biennially thereafter; requiring instructional
24 personnel and educational support employees who first
25 request to have union dues and uniform assessments
26 deducted from their salary after a certain date to
27 submit a specified form to school districts within a
28 specified timeframe and biennially thereafter;
29 providing acknowledgment language for such form;

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30 prohibiting district school boards from deducting
31 union dues or uniform assessments from the salaries of
32 instructional personnel or educational support
33 employees who fail to timely submit the form;
34 requiring school districts to confirm directly with a
35 form signatory that he or she has authorized
36 deductions for union dues and uniform assessments from
37 his or her salary and to wait for confirmation before
38 making any deduction; requiring school districts,
39 subject to certain rules, to adopt policies; providing
40 an effective date.

41
42 Be It Enacted by the Legislature of the State of Florida:

43
44 Section 1. Paragraph (c) of subsection (4) of section
45 1012.2315, Florida Statutes, is amended, and paragraph (d) is
46 added to that subsection, to read:

47 1012.2315 Assignment of teachers.—

48 (4) COLLECTIVE BARGAINING.—

49 (c)1. In addition to the provisions under s. 447.305(2), an
50 employee organization that has been certified as the bargaining
51 agent for a unit of instructional personnel as defined in s.
52 1012.01(2) or educational support employees as defined in s.
53 1012.01(6) must include for each such certified bargaining unit
54 the following information in its application for renewal of
55 registration:

56 a. The number of employees in the bargaining unit who are
57 eligible for representation by the employee organization as of
58 December 31 of that renewal period.

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59 b. The number of employees who are represented by the
60 employee organization as of December 31 of that renewal period,
61 specifying the number of members who pay full dues and the
62 number of members who do not pay full dues.

63 2. Notwithstanding the provisions of chapter 447 relating
64 to collective bargaining, an employee organization whose full
65 dues-paying ~~dues-paying~~ membership as of December 31 of that
66 renewal period is less than 50 percent of the employees eligible
67 for representation in the unit, as identified in subparagraph
68 1., must petition the Public Employees Relations Commission
69 pursuant to s. 447.307(2) and (3) for recertification as the
70 exclusive representative of all employees in the unit within 1
71 month after the date on which the organization applies for
72 renewal of registration pursuant to s. 447.305(2). The
73 certification of an employee organization that does not comply
74 with this paragraph is revoked.

75 3. The commission may conduct an investigation to confirm
76 the validity of any information submitted pursuant to this
77 paragraph.

78 4. The commission shall adopt rules to carry out the
79 provisions of this paragraph.

80 (d)1. By August 1, 2021, and on a biennial basis
81 thereafter, instructional personnel and educational support
82 employees who are represented by an employee organization and
83 have union dues and uniform assessments deducted from their
84 salary must sign and submit a form to the school district
85 acknowledging that Florida is a right-to-work state.
86 Instructional personnel and educational support employees
87 represented by an employee organization who first request to

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88 have union dues and uniform assessments deducted from their
89 salaries after August 1, 2021, must sign and submit the form to
90 the school district within 30 days after making such request and
91 on a biennial basis thereafter. The form must contain the
92 following acknowledgment in at least 14-point boldfaced type:

93
94 I ACKNOWLEDGE AND UNDERSTAND THAT FLORIDA IS A RIGHT-TO-WORK
95 STATE AND UNION MEMBERSHIP IS NOT REQUIRED AS A CONDITION OF
96 EMPLOYMENT. I UNDERSTAND THAT UNION MEMBERSHIP AND PAYMENT OF
97 UNION DUES AND UNIFORM ASSESSMENTS ARE VOLUNTARY AND THAT I MAY
98 NOT BE DISCRIMINATED AGAINST IN ANY MANNER IF I REFUSE TO JOIN
99 OR FINANCIALLY SUPPORT A UNION.

100
101 2. A district school board may not deduct any union dues or
102 uniform assessments from the salary of any instructional
103 personnel or educational support employees who are represented
104 by an employee organization and who have not timely signed and
105 submitted a form pursuant to this paragraph.

106 3. A school district shall confirm directly with a
107 signatory of the form required by this paragraph that he or she
108 has authorized deductions for union dues or uniform assessments
109 from his or her salary and shall wait for confirmation before
110 making any deduction.

111 4. Subject to the rules of the State Board of Education,
112 each school district shall adopt policies to carry out this
113 paragraph.

114 Section 2. This act shall take effect July 1, 2021.