

By Senator Stewart

13-00128-21

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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.

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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, 2021.