

By the Committee on Judiciary; and Senator Rodrigues

590-02047-21

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1 A bill to be entitled
2 An act relating to dues and uniform assessments;
3 amending s. 447.301, F.S.; requiring that a public
4 employee who desires to join an employee organization
5 sign a membership authorization form; requiring that
6 the form include a specified acknowledgement;
7 requiring an employee organization to revoke an
8 employee's membership upon receipt of the employee's
9 request for revocation; requiring certain employees to
10 provide specified notice to his or her employer to
11 revoke certain deductions; providing that a revocation
12 form may not require an employee to state a reason for
13 the revocation; amending s. 447.303, F.S.; providing
14 that certain deductions commence upon the employer's
15 receipt and confirmation of the employee's signed
16 deduction authorization form; specifying the time
17 period that an employee's authorization to deduct dues
18 and uniform assessments remains in effect; reenacting
19 s. 110.114(3), F.S., relating to employee wage
20 deductions, to incorporate the amendment made to s.
21 447.303, F.S., in a reference thereto; providing an
22 effective date.

23
24 Be It Enacted by the Legislature of the State of Florida:

25
26 Section 1. Subsection (1) of section 447.301, Florida
27 Statutes, is amended to read:

28 447.301 Public employees' rights; organization and
29 representation.—

590-02047-21

202178c1

30 (1) (a) Public employees ~~shall~~ have the right to form, join,
31 and participate in, or to refrain from forming, joining, or
32 participating in, any employee organization of their own
33 choosing.

34 (b)1. An employee who desires to join an employee
35 organization must sign a membership authorization form with the
36 bargaining agent. The membership authorization form must contain
37 the following acknowledgment in bold letters and in at least a
38 14-point type:

39
40 I acknowledge and understand that Florida is a right-
41 to-work state and that union membership is not
42 required as a condition of employment. I understand
43 that union membership and payment of union dues and
44 assessments is voluntary and that I may not be
45 discriminated against in any manner if I refuse to
46 join or financially support a union.

47
48 2. An employee organization must revoke an employee's
49 membership upon receipt of his or her written request for
50 revocation. However, an employee who has authorized the
51 deduction of dues and uniform assessments by his or her employer
52 must also submit notice to his or her employer as provided in s.
53 447.303 for the revocation of such deductions. If an employee
54 must complete a form to request revocation from the employee
55 organization, the form may not require a reason for the
56 employee's decision to revoke his or her membership.

57 Section 2. Section 447.303, Florida Statutes, is amended to
58 read:

590-02047-21

202178c1

59 447.303 Dues; deduction and collection.—

60 (1) An ~~Any~~ employee organization that ~~which~~ has been
61 certified as a bargaining agent has ~~shall have~~ the right to have
62 its dues and uniform assessments deducted and collected by the
63 employer from the salaries of those employees who authorize the
64 deduction of said dues and uniform assessments.

65 (2) (a) Deductions shall commence when the employer receives
66 a signed deduction authorization form from the bargaining agent
67 and confirms with the employee, electronically or by other
68 means, that he or she authorized the deduction of dues and
69 uniform assessments. The employer must make such confirmation
70 within 30 days after receiving the signed deduction
71 authorization form.

72 (b) An employee's authorization to deduct dues and uniform
73 assessments remains in effect until the members of the
74 bargaining unit approve a new collective bargaining agreement
75 with the public employer or for 3 years after the date on which
76 the deduction begins, whichever is earlier.

77 (c) Notwithstanding paragraph (b), ~~However, such~~
78 authorization is revocable at the employee's request upon 30
79 days' written notice to the employer and employee organization.
80 ~~Said deductions shall commence upon the bargaining agent's~~
81 ~~written request to the employer.~~

82 (3) Reasonable costs to the employer of said deductions is
83 ~~shall be~~ a proper subject of collective bargaining.

84 (4) Such right to deduction, unless revoked under ~~pursuant~~
85 ~~to~~ s. 447.507, is ~~shall be~~ in force for so long as the employee
86 organization remains the certified bargaining agent for the
87 employees in the unit.

590-02047-21

202178c1

88 (5) The public employer is expressly prohibited from any
89 involvement in the collection of fines, penalties, or special
90 assessments.

91 Section 3. For the purpose of incorporating the amendment
92 made by this act to section 447.303, Florida Statutes, in a
93 reference thereto, subsection (3) of section 110.114, Florida
94 Statutes, is reenacted to read:

95 110.114 Employee wage deductions.—

96 (3) Notwithstanding the provisions of subsections (1) and
97 (2), the deduction of an employee's membership dues deductions
98 as defined in s. 447.203(15) for an employee organization as
99 defined in s. 447.203(11) shall be authorized or permitted only
100 for an organization that has been certified as the exclusive
101 bargaining agent pursuant to chapter 447 for a unit of state
102 employees in which the employee is included. Such deductions
103 shall be subject to the provisions of s. 447.303.

104 Section 4. This act shall take effect upon becoming a law.