

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	___	(Y/N)
ADOPTED AS AMENDED	___	(Y/N)
ADOPTED W/O OBJECTION	___	(Y/N)
FAILED TO ADOPT	___	(Y/N)
WITHDRAWN	___	(Y/N)
OTHER	_____	

1 Committee/Subcommittee hearing bill: Government Operations
2 Subcommittee

3 Representative Byrd offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (c) of subsection (4) of section
8 1012.2315, Florida Statutes, is amended to read:

9 1012.2315 Assignment of teachers.—

10 (4) COLLECTIVE BARGAINING.—

11 (c)1. In addition to the provisions under s. 447.305(2),
12 an employee organization that has been certified as the
13 bargaining agent for a unit of instructional personnel as
14 defined in s. 1012.01(2) must include for each such certified
15 bargaining unit the following information in its application for
16 renewal of registration:

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

20 b. The number of employees who are represented by the
21 employee organization as of December 31 of that renewal period,
22 specifying the number of members who pay dues and the number of
23 members who do not pay dues.

24 2. Notwithstanding the provisions of chapter 447 relating
25 to collective bargaining, an employee organization whose dues-
26 paying ~~dues paying~~ membership as of December 31 of that renewal
27 period is less than 50 percent of the employees eligible for
28 representation in the unit, as identified in subparagraph 1.,
29 must petition the Public Employees Relations Commission pursuant
30 to s. 447.307(2) and (3) for recertification as the exclusive
31 representative of all employees in the unit within 1 month after
32 the date on which the organization applies for renewal of
33 registration pursuant to s. 447.305(2). The certification of an
34 employee organization that does not comply with this paragraph
35 is revoked.

36 3. The commission may conduct an investigation to confirm
37 the validity of any information submitted pursuant to this
38 paragraph.

39 a. If the Public Employees Relations Commission has reason
40 to believe a registered employee organization has reported
41 inaccurate figures pursuant to this paragraph, it can require

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42 the employee organization to submit its membership roll in order
43 to verify the accuracy of the reported figures. If the employee
44 organization fails to submit its membership roll within 30 days
45 of receiving a written request from the commission, the employee
46 organization's certification will be revoked.

47 b. If a registered employee organization does not submit
48 or intentionally misstates the information required in this
49 paragraph for a certified bargaining unit it represents, the
50 employee organization's certification for that unit will be
51 revoked.

52 4. The commission shall adopt rules to carry out this
53 paragraph.

54 (d) Notwithstanding the provisions of s. 447.303 relating
55 to dues deduction and collection, an employee organization that
56 has been certified as the bargaining agent for instructional
57 personnel may not have its dues and uniform assessments deducted
58 and collected by a district school board from the salaries of
59 instructional personnel. Instructional personnel who are
60 represented by an employee organization must pay their dues and
61 uniform assessments directly to the employee organization that
62 has been certified as their bargaining agent.

63 (e) Beginning August 1, 2021, and each August 1
64 thereafter, before the employee organization can collect dues or
65 uniform assessments from any instructional personnel for the
66 upcoming school year, the employee must sign and submit a form

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67 to the employee organization acknowledging Florida is a right-
68 to-work state. The form must contain the following
69 acknowledgement in bold letters and in at least a 14-point type:

71 I acknowledge and understand that Florida is a right-to-
72 work state and that union membership is not required as a
73 condition of employment. I understand that union membership
74 and payment of union dues and uniform assessments is
75 voluntary and that I may not be discriminated against in
76 any manner if I refuse to join or financially support a
77 union.

78
79 Section 2. Section 1012.8552, Florida Statutes, is created
80 to read:

81 1012.8552 Collective bargaining.-

82 (1) In addition to s. 447.305(2), an employee organization
83 that has been certified as the bargaining agent for a unit of
84 instructional personnel employed by a Florida College System
85 institution must include for each such certified bargaining unit
86 the following information and documentation in its application
87 for renewal of registration:

88 (a) The number of employees in the bargaining unit who are
89 eligible for representation by the employee organization on the
90 date the application is filed.

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91 (b) The number of employees who are represented by the
92 employee organization, specifying the number of members who pay
93 dues and the number of members who do not pay dues.

94 (c) Documentation provided by the institution verifying
95 the information provided in paragraphs (a) and (b).

96 (d) Documentation provided by the institution verifying
97 that it was provided a copy of the employee organization's
98 application for renewal of registration.

99 (2) An application for renewal of registration is
100 incomplete and is not eligible for consideration by the Public
101 Employees Relations Commission if it does not include all of the
102 information and documentation required in subsection (1). The
103 commission shall notify the employee organization if the
104 application is incomplete. Any incomplete application must be
105 dismissed if the required information and documentation are not
106 provided within 10 days after the employee organization receives
107 such notice.

108 (3) Notwithstanding the provisions of chapter 447 relating
109 to collective bargaining, an employee organization whose dues
110 paying membership is less than 50 percent of the employees
111 eligible for representation in the bargaining unit must petition
112 the Public Employees Relations Commission pursuant to s.
113 447.307(2) and (3) for recertification as the exclusive
114 representative of all employees in the bargaining unit within 1
115 month after the date on which the employee organization applies

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116 for renewal of registration pursuant to s. 447.305(2). The
117 certification of an employee organization that does not comply
118 with this section is revoked.

119 (4) A Florida College System institution may challenge an
120 employee organization's application for renewal of registration
121 if the institution believes that the application is inaccurate.
122 The commission or one of its designated agents shall review the
123 application to determine its accuracy and compliance with this
124 section. If the commission finds that the application is
125 inaccurate or does not comply with this section, the commission
126 shall revoke the registration and certification of the employee
127 organization.

128 Section 3. Section 1012.916, Florida Statutes, is created
129 to read:

130 1012.916 Collective bargaining.-

131 (1) In addition to s. 447.305(2), an employee organization
132 that has been certified as the bargaining agent for a unit of
133 instructional personnel employed by a State University System
134 institution must include for each such certified bargaining unit
135 the following information and documentation in its application
136 for renewal of registration:

137 (a) The number of employees in the bargaining unit who are
138 eligible for representation by the employee organization on the
139 date the application is filed.

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140 (b) The number of employees who are represented by the
141 employee organization, specifying the number of members who pay
142 dues and the number of members who do not pay dues.

143 (c) Documentation provided by the institution verifying
144 the information provided in paragraphs (a) and (b).

145 (d) Documentation provided by the institution verifying
146 that it was provided a copy of the employee organization's
147 application for renewal of registration.

148 (2) An application for renewal of registration is
149 incomplete and is not eligible for consideration by the Public
150 Employees Relations Commission if it does not include all of the
151 information and documentation required in subsection (1). The
152 commission shall notify the employee organization if the
153 application is incomplete. Any incomplete application must be
154 dismissed if the required information and documentation are not
155 provided within 10 days after the employee organization receives
156 such notice.

157 (3) Notwithstanding the provisions of chapter 447 relating
158 to collective bargaining, an employee organization whose dues
159 paying membership is less than 50 percent of the employees
160 eligible for representation in the bargaining unit must petition
161 the Public Employees Relations Commission pursuant to s.
162 447.307(2) and (3) for recertification as the exclusive
163 representative of all employees in the bargaining unit within 1
164 month after the date on which the employee organization applies

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165 for renewal of registration pursuant to s. 447.305(2). The
166 certification of an employee organization that does not comply
167 with this section is revoked.

168 (4) A State University System institution may challenge an
169 employee organization's application for renewal of registration
170 if the institution believes that the application is inaccurate.
171 The commission or one of its designated agents shall review the
172 application to determine its accuracy and compliance with this
173 section. If the commission finds that the application is
174 inaccurate or does not comply with this section, the commission
175 shall revoke the registration and certification of the employee
176 organization.

177 Section 4. This act shall take effective July 1, 2021.

178

179

180

T I T L E A M E N D M E N T

181

Remove everything before the enacting clause and insert:

182

An act relating to employee organizations; amending s.

183

1012.2315, F.S.; revising the information that employee

184

organizations that have been certified as the bargaining agent

185

for a unit of instructional personnel must report in

186

applications for renewal of registration; requiring an employee

187

organization whose dues-paying membership as of a specified date

188

is less than 50 percent of eligible employees to petition the

189

Public Employees Relations Commission for recertification;

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190 authorizing the commission to conduct an investigation to
191 confirm the validity of certain information; decertifying
192 employee organizations that fail to meet certain requirements;
193 requiring the commission to adopt rules; prohibiting an employee
194 organization certified as the bargaining agent for instructional
195 personnel from having its dues and uniform assessments deducted
196 and collected by a district school board; requiring
197 instructional personnel submit a specified form to the employee
198 organization by a certain date and annually thereafter, before
199 the employee organization may collect dues or uniform
200 assessments for the upcoming school year; creating s. 1012.8552,
201 F.S.; requiring employee organizations representing Florida
202 College System institution instructional personnel to include
203 specified information and documentation in an application for
204 renewal of registration; providing that certain applications are
205 incomplete; providing procedures for incomplete applications;
206 requiring certain employee organizations to petition the Public
207 Employees Relations Commission for recertification; authorizing
208 the Florida College System institutions to challenge an employee
209 organization's application; requiring the commission to review a
210 challenged application and revoke the registration and
211 certification of an employee organization in certain
212 circumstances; creating s. 1012.916, F.S.; requiring employee
213 organizations representing State University System institution
214 instructional personnel to include specified information and

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215 | documentation in an application for renewal of registration;
216 | providing that certain applications are incomplete; providing
217 | procedures for incomplete applications; requiring certain
218 | employee organizations to petition the Public Employees
219 | Relations Commission for recertification; authorizing the State
220 | University System institutions to challenge an employee
221 | organization's application; requiring the commission to review a
222 | challenged application and revoke the registration and
223 | certification of an employee organization in certain
224 | circumstances; providing an effective date.