

1 A bill to be entitled
2 An act relating to employee organizations; amending s.
3 1012.2315, F.S.; revising the information that
4 employee organizations that have been certified as the
5 bargaining agent for a unit of instructional personnel
6 must report in applications for renewal of
7 registration; requiring certain employee organizations
8 to petition the Public Employees Relations Commission
9 for recertification; authorizing the commission to
10 conduct an investigation to confirm the validity of
11 certain information; authorizing the commission to
12 require an employee organization to submit certain
13 information as part of such investigation; providing
14 for the revocation of an employee organization's
15 certification if it fails to meet certain
16 requirements; requiring the commission to adopt rules;
17 prohibiting an employee organization from having its
18 dues and uniform assessments deducted and collected by
19 a district school board; requiring certain
20 instructional personnel to sign and submit a specified
21 form to the employee organization by a certain date
22 and annually thereafter before the employee
23 organization may collect dues or uniform assessments
24 for the upcoming school year; creating s. 1012.8552,
25 F.S.; requiring an employee organization certified as

26 | the bargaining agent for a unit of Florida College
27 | System institution instructional personnel to include
28 | specified information and documentation in an
29 | application for registration renewal; providing that
30 | certain applications are incomplete; providing
31 | procedures for incomplete applications; requiring
32 | certain employee organizations to petition the
33 | commission for recertification; authorizing a Florida
34 | College System institution to challenge an employee
35 | organization's application; requiring the commission
36 | to review a challenged application and revoke an
37 | employee organization's registration and certification
38 | in certain circumstances; creating s. 1012.916, F.S.;
39 | requiring an employee organization certified as the
40 | bargaining agent for a unit of State University System
41 | institution instructional personnel to include
42 | specified information and documentation in an
43 | application for registration renewal; providing that
44 | certain applications are incomplete; providing
45 | procedures for incomplete applications; requiring
46 | certain employee organizations to petition the
47 | commission for recertification; authorizing a State
48 | University System institution to challenge an employee
49 | organization's application; requiring the commission
50 | to review a challenged application and revoke an

51 employee organization's registration and certification
 52 in certain circumstances; providing an effective date.
 53

54 Be It Enacted by the Legislature of the State of Florida:
 55

56 Section 1. Paragraph (c) of subsection (4) of section
 57 1012.2315, Florida Statutes, is amended, and paragraphs (d) and
 58 (e) are added to that subsection, to read:

59 1012.2315 Assignment of teachers.—

60 (4) COLLECTIVE BARGAINING.—

61 (c)1. In addition to the provisions under s. 447.305(2),
 62 an employee organization that has been certified as the
 63 bargaining agent for a unit of instructional personnel as
 64 defined in s. 1012.01(2) must include for each such certified
 65 bargaining unit the following information in its application for
 66 renewal of registration:

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

70 b. The number of employees who are represented by the
 71 employee organization as of December 31 of that renewal period,
 72 specifying the number of members who pay dues and the number of
 73 members who do not pay dues.

74 2. Notwithstanding the provisions of chapter 447 relating
 75 to collective bargaining, an employee organization whose dues-

76 paying dues ~~paying~~ membership as of December 31 of that renewal
77 period is less than 50 percent of the employees eligible for
78 representation in the unit, as identified in subparagraph 1.,
79 must petition the Public Employees Relations Commission pursuant
80 to s. 447.307(2) and (3) for recertification as the exclusive
81 representative of all employees in the unit within 1 month after
82 the date on which the organization applies for renewal of
83 registration pursuant to s. 447.305(2). The certification of an
84 employee organization that does not comply with this paragraph
85 is revoked.

86 3. The commission may conduct an investigation to confirm
87 the validity of any information submitted pursuant to this
88 paragraph.

89 a. If the commission has reason to believe a registered
90 employee organization has reported inaccurate figures pursuant
91 to this paragraph, it can require the employee organization to
92 submit its membership roll in order to verify the accuracy of
93 the reported figures. If the employee organization fails to
94 submit its membership roll within 30 days of receiving a written
95 request from the commission, the employee organization's
96 certification will be revoked.

97 b. If a registered employee organization does not submit
98 or intentionally misstates the information required in this
99 paragraph for a certified bargaining unit it represents, the
100 employee organization's certification for that unit will be

101 revoked.

102 4. The commission shall adopt rules to carry out this
103 paragraph.

104 (d) Notwithstanding the provisions of s. 447.303 relating
105 to dues deduction and collection, an employee organization that
106 has been certified as the bargaining agent for instructional
107 personnel may not have its dues and uniform assessments deducted
108 and collected by a district school board from the salaries of
109 instructional personnel. Instructional personnel who are
110 represented by an employee organization must pay their dues and
111 uniform assessments directly to the employee organization that
112 has been certified as their bargaining agent.

113 (e) Beginning August 1, 2021, and each August 1
114 thereafter, before the employee organization can collect dues or
115 uniform assessments from any instructional personnel for the
116 upcoming school year, the employee must sign and submit a form
117 to the employee organization acknowledging Florida is a right-
118 to-work state. The form must contain the following
119 acknowledgement in bold letters and in at least a 14-point type:

121 I acknowledge and understand that Florida is a right-to-
122 work state and that union membership is not required as a
123 condition of employment. I understand that union membership
124 and payment of union dues and uniform assessments is
125 voluntary and that I may not be discriminated against in

126 any manner if I refuse to join or financially support a
127 union.
128

129 Section 2. Section 1012.8552, Florida Statutes, is created
130 to read:

131 1012.8552 Collective bargaining.—

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

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

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

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

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

149 (2) An application for renewal of registration is
150 incomplete and is not eligible for consideration by the Public

151 Employees Relations Commission if it does not include all of the
152 information and documentation required in subsection (1). The
153 commission shall notify the employee organization if the
154 application is incomplete. Any incomplete application must be
155 dismissed if the required information and documentation are not
156 provided within 10 days after the employee organization receives
157 such notice.

158 (3) Notwithstanding the provisions of chapter 447 relating
159 to collective bargaining, an employee organization whose dues-
160 paying membership is less than 50 percent of the employees
161 eligible for representation in the bargaining unit must petition
162 the commission pursuant to s. 447.307(2) and (3) for
163 recertification as the exclusive representative of all employees
164 in the bargaining unit within 1 month after the date on which
165 the employee organization applies for renewal of registration
166 pursuant to s. 447.305(2). The certification of an employee
167 organization that does not comply with this section is revoked.

168 (4) A Florida College 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 3. Section 1012.916, Florida Statutes, is created
178 to read:

179 1012.916 Collective bargaining.—

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

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

189 (b) The number of employees who are represented by the
190 employee organization, specifying the number of members who pay
191 dues and the number of members who do not pay dues.

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

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

197 (2) An application for renewal of registration is
198 incomplete and is not eligible for consideration by the Public
199 Employees Relations Commission if it does not include all of the
200 information and documentation required in subsection (1). The

201 commission shall notify the employee organization if the
202 application is incomplete. Any incomplete application must be
203 dismissed if the required information and documentation are not
204 provided within 10 days after the employee organization receives
205 such notice.

206 (3) Notwithstanding the provisions of chapter 447 relating
207 to collective bargaining, an employee organization whose dues-
208 paying membership is less than 50 percent of the employees
209 eligible for representation in the bargaining unit must petition
210 the commission pursuant to s. 447.307(2) and (3) for
211 recertification as the exclusive representative of all employees
212 in the bargaining unit within 1 month after the date on which
213 the employee organization applies for renewal of registration
214 pursuant to s. 447.305(2). The certification of an employee
215 organization that does not comply with this section is revoked.

216 (4) A State University System institution may challenge an
217 employee organization's application for renewal of registration
218 if the institution believes that the application is inaccurate.
219 The commission or one of its designated agents shall review the
220 application to determine its accuracy and compliance with this
221 section. If the commission finds that the application is
222 inaccurate or does not comply with this section, the commission
223 shall revoke the registration and certification of the employee
224 organization.

225 Section 4. This act shall take effect July 1, 2021.