

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 appropriation;  
53 providing an effective date.

54

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

56

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

60 1012.2315 Assignment of teachers.—

61 (4) COLLECTIVE BARGAINING.—

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

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

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

75 2. Notwithstanding the provisions of chapter 447 relating

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

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

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

98 |           b. If a registered employee organization does not submit  
99 | or intentionally misstates the information required in this  
100 | paragraph for a certified bargaining unit it represents, the

101 employee organization's certification for that unit will be  
102 revoked.

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

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

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

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

126 voluntary and that I may not be discriminated against in  
127 any manner if I refuse to join or financially support a  
128 union.

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

132 1012.8552 Collective bargaining.—

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

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

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

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

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

150 (2) An application for renewal of registration is

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

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

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

176 shall revoke the registration and certification of the employee  
177 organization.

178 Section 3. Section 1012.916, Florida Statutes, is created  
179 to read:

180 1012.916 Collective bargaining.-

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

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

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

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

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

198 (2) An application for renewal of registration is  
199 incomplete and is not eligible for consideration by the Public  
200 Employees Relations Commission if it does not include all of the



201 information and documentation required in subsection (1). The  
202 commission shall notify the employee organization if the  
203 application is incomplete. Any incomplete application must be  
204 dismissed if the required information and documentation are not  
205 provided within 10 days after the employee organization receives  
206 such notice.

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

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

226           Section 4. For the 2021-2022 fiscal year, the sums of  
227 \$362,894 in recurring funds and \$18,043 in nonrecurring funds  
228 from the Public Employees Relations Commission Trust Fund are  
229 appropriated to the Public Employees Relations Commission, and 3  
230 full-time equivalent positions with associated salary rate of  
231 193,000 are authorized, for the purpose of implementing the  
232 provisions of this act.

233           Section 5. This act shall take effect July 1, 2021.