

1                   A bill to be entitled  
2           An act relating to employee organizations; amending s.  
3           447.301, F.S.; requiring that a public employee who  
4           desires to join an employee organization sign a  
5           membership authorization form; requiring that such  
6           form include a specified acknowledgement; requiring an  
7           employee organization to revoke an employee's  
8           membership upon receipt of a written request for  
9           revocation; providing a requirement for a form to  
10          request revocation; providing nonapplicability with  
11          respect to certain employee organizations; amending s.  
12          447.303, F.S.; prohibiting certain employee  
13          organizations from having their dues and uniform  
14          assessments deducted by the employer from salaries;  
15          authorizing public employees to pay their dues and  
16          uniform assessments directly to the employee  
17          organization; authorizing certain employee  
18          organizations to have their dues and uniform  
19          assessments deducted and collected by the employer  
20          from salaries; amending s. 447.305, F.S.; revising  
21          requirements for applications for renewal of  
22          registration of an employee organization; providing  
23          procedures for incomplete applications; requiring  
24          certain employee organizations to petition the Public  
25          Employees Relations Commission for recertification as

26 bargaining agents; authorizing a public employer or a  
 27 bargaining unit employee to challenge an employee  
 28 organization's application for renewal of  
 29 registration; requiring the commission or its  
 30 designated agent to review the application; requiring  
 31 the commission to revoke the registration and  
 32 certification in certain instances; providing  
 33 nonapplicability with respect to certain employee  
 34 organizations; amending s. 1012.2315, F.S.; removing  
 35 duplicate provisions; reenacting s. 110.114(3), F.S.,  
 36 relating to employee wage deductions, to incorporate  
 37 the amendment made to s. 447.303, F.S., in a reference  
 38 thereto; providing an effective date.

39  
 40 Be It Enacted by the Legislature of the State of Florida:

41  
 42 Section 1. Subsection (1) of section 447.301, Florida  
 43 Statutes, is amended to read:

44 447.301 Public employees' rights; organization and  
 45 representation.—

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

50 (b)1. An employee who desires to join an employee

51 organization must sign a membership authorization form with the  
52 bargaining agent. The membership authorization form must contain  
53 the following acknowledgment in bold letters and in at least a  
54 14-point type:

55  
56 I acknowledge and understand that Florida is a right-  
57 to-work state and that union membership is not  
58 required as a condition of employment. I understand  
59 that union membership and payment of union dues and  
60 assessments is voluntary and that I may not be  
61 discriminated against in any manner if I refuse to  
62 join or financially support a union.

63  
64 2. An employee organization must revoke an employee's  
65 membership upon receipt of his or her written request for  
66 revocation. If an employee must complete a form to request  
67 revocation of membership from the employee organization, the  
68 form may not require a reason for the employee's decision to  
69 revoke his or her membership.

70 3. This paragraph does not apply to members of an employee  
71 organization that has been certified as a bargaining agent to  
72 represent law enforcement officers, correctional officers, or  
73 correctional probation officers as those terms are defined in s.  
74 943.10(1), (2), or (3), respectively, or firefighters as defined  
75 in s. 633.102.

76 Section 2. Section 447.303, Florida Statutes, is amended  
 77 to read:

78 447.303 Dues; deduction and collection.—

79 (1) Except as authorized in subsection (2), an employee  
 80 organization that has been certified as a bargaining agent may  
 81 not have its dues and uniform assessments deducted by the  
 82 employer from the salaries of those employees in the unit.  
 83 Public employees may pay their dues and uniform assessments  
 84 directly to the employee organization that has been certified as  
 85 their bargaining agent.

86 (2) (a) An ~~Any~~ employee organization that ~~which~~ has been  
 87 certified as a bargaining agent to represent law enforcement  
 88 officers, correctional officers, or correctional probation  
 89 officers as those terms are defined in s. 943.10(1), (2), or  
 90 (3), respectively, or firefighters as defined in s. 633.102 has  
 91 ~~shall have~~ the right to have its dues and uniform assessments  
 92 deducted and collected by the employer from the salaries of  
 93 those employees who authorize the deduction of said dues and  
 94 uniform assessments. However, such authorization is revocable at  
 95 the employee's request upon 30 days' written notice to the  
 96 employer and employee organization. Said deductions shall  
 97 commence upon the bargaining agent's written request to the  
 98 employer.

99 (b) Reasonable costs to the employer of said deductions is  
 100 ~~shall be~~ a proper subject of collective bargaining.

101        (c) Such right to deduction, unless revoked under ~~pursuant~~  
 102 ~~to~~ s. 447.507, is ~~shall be~~ in force for so long as the employee  
 103 organization remains the certified bargaining agent for the  
 104 employees in the unit.

105        (3) The public employer is expressly prohibited from any  
 106 involvement in the collection of fines, penalties, or special  
 107 assessments.

108        Section 3. Subsections (3) and (4) of section 447.305,  
 109 Florida Statutes, are renumbered as subsections (8) and (9),  
 110 respectively, and new subsections (3) through (7) are added to  
 111 that section to read:

112        447.305 Registration of employee organization.—

113        (3) In addition to subsection (2), an employee  
 114 organization that has been certified as the bargaining agent for  
 115 public employees must include for each such certified bargaining  
 116 unit the following information and documentation in its  
 117 application for renewal of registration:

118        (a) The number of employees in the bargaining unit who are  
 119 eligible for representation by the employee organization as of  
 120 December 31 of that renewal period.

121        (b) The number of employees who are represented by the  
 122 employee organization as of December 31 of that renewal period,  
 123 specifying the number of members who pay dues and the number of  
 124 members who do not pay dues.

125        (c) Documentation provided by the public employer

126 verifying the information provided in paragraphs (a) and (b).

127 (d) Documentation provided by the public employer  
128 verifying that it was provided a copy of the employee  
129 organization's application for renewal of registration.

130 (4) An application for renewal of registration is  
131 incomplete and is not eligible for consideration by the  
132 commission if it does not include all of the information and  
133 documentation required in subsection (3). The commission shall  
134 notify the employee organization if the application is  
135 incomplete. An incomplete application must be dismissed if the  
136 required information and documentation are not provided within  
137 10 days after the employee organization receives such notice.

138 (5) Notwithstanding the provisions of this chapter  
139 relating to collective bargaining, an employee organization  
140 whose dues-paying membership is less than 50 percent of the  
141 employees eligible for representation in the bargaining unit  
142 must petition the commission pursuant to s. 447.307(2) and (3)  
143 for recertification as the exclusive representative of all  
144 employees in the bargaining unit within 1 month after the date  
145 on which the employee organization applies for renewal of  
146 registration pursuant to subsection (2). The certification of an  
147 employee organization that does not comply with this section is  
148 revoked.

149 (6) The public employer or a bargaining unit employee may  
150 challenge an employee organization's application for renewal of

151 registration if the public employer or bargaining unit employee  
152 believes that the application is inaccurate. The commission or  
153 one of its designated agents shall review the application to  
154 determine its accuracy and compliance with this section. If the  
155 commission finds that the application is inaccurate or does not  
156 comply with this section, the commission shall revoke the  
157 registration and certification of the employee organization.

158 (7) Subsections (3)-(6) do not apply to an employee  
159 organization that has been certified as the bargaining agent  
160 representing law enforcement officers, correctional officers, or  
161 correctional probation officers as those terms are defined in s.  
162 943.10(1), (2), or (3), respectively, or firefighters as defined  
163 in s. 633.102.

164 Section 4. Paragraph (c) of subsection (4) of section  
165 1012.2315, Florida Statutes, is amended to read:

166 1012.2315 Assignment of teachers.—

167 (4) COLLECTIVE BARGAINING.—

168 ~~(c)1. In addition to the provisions under s. 447.305(2),~~  
169 ~~an employee organization that has been certified as the~~  
170 ~~bargaining agent for a unit of instructional personnel as~~  
171 ~~defined in s. 1012.01(2) must include for each such certified~~  
172 ~~bargaining unit the following information in its application for~~  
173 ~~renewal of registration:~~

174 ~~a. The number of employees in the bargaining unit who are~~  
175 ~~eligible for representation by the employee organization.~~

176 ~~b. The number of employees who are represented by the~~  
 177 ~~employee organization, specifying the number of members who pay~~  
 178 ~~dues and the number of members who do not pay dues.~~

179 ~~2. Notwithstanding the provisions of chapter 447 relating~~  
 180 ~~to collective bargaining, an employee organization whose dues~~  
 181 ~~paying membership is less than 50 percent of the employees~~  
 182 ~~eligible for representation in the unit, as identified in~~  
 183 ~~subparagraph 1., must petition the Public Employees Relations~~  
 184 ~~Commission pursuant to s. 447.307(2) and (3) for recertification~~  
 185 ~~as the exclusive representative of all employees in the unit~~  
 186 ~~within 1 month after the date on which the organization applies~~  
 187 ~~for renewal of registration pursuant to s. 447.305(2). The~~  
 188 ~~certification of an employee organization that does not comply~~  
 189 ~~with this paragraph is revoked.~~

190 Section 5. For the purpose of incorporating the amendment  
 191 made by this act to section 447.303, Florida Statutes, in a  
 192 reference thereto, subsection (3) of section 110.114, Florida  
 193 Statutes, is reenacted to read:

194 110.114 Employee wage deductions.—

195 (3) Notwithstanding the provisions of subsections (1) and  
 196 (2), the deduction of an employee's membership dues deductions  
 197 as defined in s. 447.203(15) for an employee organization as  
 198 defined in s. 447.203(11) shall be authorized or permitted only  
 199 for an organization that has been certified as the exclusive  
 200 bargaining agent pursuant to chapter 447 for a unit of state



201 | employees in which the employee is included. Such deductions  
202 | shall be subject to the provisions of s. 447.303.

203 |       Section 6. This act shall take effect July 1, 2021.