

20241746er

1  
2 An act relating to public employees; amending s.  
3 447.207, F.S.; revising a prohibition on dues to  
4 certain mass transit employees; amending s. 447.301,  
5 F.S.; deleting obsolete language; requiring certain  
6 public employees of an employee organization to submit  
7 executed forms to the bargaining agent; revising  
8 applicability; amending s. 447.303, F.S.; providing  
9 that specified employee organizations have the right  
10 to have its dues and uniform assessments deducted and  
11 collected by the employer from the salaries of those  
12 employees who authorized such deduction and  
13 collection; conforming a cross-reference; amending s.  
14 447.305, F.S.; revising the application employee  
15 organizations must submit to register as certified  
16 bargaining agents; requiring applications for renewal  
17 of registration to include current annual financial  
18 statements prepared by an independent certified public  
19 accountant; revising the information that must be  
20 included in such applications; revising the timeframe  
21 in which certain bargaining agents must submit  
22 specified information and documentation; requiring  
23 certain employee organizations to petition the Public  
24 Employees Relations Commission for recertification;  
25 revising applicability; authorizing the commission to,  
26 and in a specified circumstance requiring the  
27 commission to, investigate an employee organization's  
28 application for registration renewal; requiring the  
29 commission to deny such applications under specified

20241746er

30 circumstances; exempting certain employee  
31 organizations from specified provisions; revising  
32 requirements for a specified annual financial report;  
33 making technical changes; conforming changes made by  
34 the act; providing transitional provisions regarding  
35 the renewal of registration of employee organizations  
36 during a specified timeframe; prohibiting the  
37 commission from taking certain action on a renewal  
38 application; providing an effective date.

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

41  
42 Section 1. Paragraph (a) of subsection (12) of section  
43 447.207, Florida Statutes, is amended to read:

44 447.207 Commission; powers and duties.—

45 (12) Upon a petition by a public employer after it has been  
46 notified by the Department of Labor that the public employer's  
47 protective arrangement covering mass transit employees does not  
48 meet the requirements of 49 U.S.C. s. 5333(b) and would  
49 jeopardize the employer's continued eligibility to receive  
50 Federal Transit Administration funding, the commission may  
51 waive, to the extent necessary for the public employer to comply  
52 with the requirements of 49 U.S.C. s. 5333(b), any of the  
53 following for an employee organization that has been certified  
54 as a bargaining agent to represent mass transit employees:

55 (a) The prohibition on dues and assessment deductions  
56 provided in s. 447.303(1) as it applies to a mass transit  
57 employee who has provided a copy of his or her membership  
58 authorization form to the employer as part of the authorization

20241746er

59 of dues deduction under a waiver.

60 Section 2. Section 447.301, Florida Statutes, is amended to  
61 read:

62 447.301 Public employees' rights; organization and  
63 representation.—

64 (1) (a) Public employees shall have the right to form, join,  
65 and participate in, or to refrain from forming, joining, or  
66 participating in, any employee organization of their own  
67 choosing.

68 (b) 1. ~~Beginning July 1, 2023,~~ A public employee who desires  
69 to be a member of an employee organization must sign and date a  
70 membership authorization form, as prescribed by the commission,  
71 and submit the executed form to ~~with~~ the bargaining agent.

72 2. The membership authorization form must identify the name  
73 of the bargaining agent; the name of the employee; the class  
74 code and class title of the employee; the name of the public  
75 employer and employing agency, if applicable; the amount of the  
76 initiation fee and of the monthly dues which the member must  
77 pay; and the name and total amount of salary, allowances, and  
78 other direct or indirect disbursements, including  
79 reimbursements, paid to each of the five highest compensated  
80 officers and employees of the employee organization disclosed  
81 under s. 447.305(2)(d) ~~s. 447.305(2)(e)~~.

82 3. The membership authorization form must contain the  
83 following statement in 14-point type:

84

85 The State of Florida is a right-to-work state.

86 Membership or non-membership in a labor union is not

87 required as a condition of employment, and union

20241746er

88 membership and payment of union dues and assessments  
89 are voluntary. Each person has the right to join and  
90 pay dues to a labor union or to refrain from joining  
91 and paying dues to a labor union. No employee may be  
92 discriminated against in any manner for joining and  
93 financially supporting a labor union or for refusing  
94 to join or financially support a labor union.

95  
96 4. A public employee may revoke membership in the employee  
97 organization at any time of the year. Upon receipt of the  
98 employee's written revocation of membership, the employee  
99 organization must revoke a public employee's membership. The  
100 employee organization may not limit an employee's right to  
101 revoke membership to certain dates. If a public employee must  
102 complete a form to revoke membership in the employee  
103 organization, the form may not require a reason for the public  
104 employee's decision to revoke his or her membership.

105 5. An employee organization must retain for inspection by  
106 the commission such membership authorization forms and any  
107 revocations.

108 6. This paragraph does not apply to members of a bargaining  
109 unit the majority of whose employees eligible for representation  
110 are employed as law enforcement officers, correctional officers,  
111 or correctional probation officers as those terms are defined in  
112 s. 943.10(1), (2), or (3), respectively, firefighters as defined  
113 in s. 633.102, 911 public safety telecommunicators as defined in  
114 s. 401.465(1)(a), or emergency medical technicians or paramedics  
115 as defined in s. 401.23 ~~an employee organization that has been~~  
116 ~~certified as a bargaining agent to represent law enforcement~~

20241746er

117 ~~officers, correctional officers, or correctional probation~~  
118 ~~officers as those terms are defined in s. 943.10(1), (2), or~~  
119 ~~(3), respectively, or firefighters as defined in s. 633.102.~~

120 7. The commission may adopt rules to implement this  
121 paragraph.

122 (2) Public employees shall have the right to be represented  
123 by any employee organization of their own choosing and to  
124 negotiate collectively, through a certified bargaining agent,  
125 with their public employer in the determination of the terms and  
126 conditions of their employment. Public employees shall have the  
127 right to be represented in the determination of grievances on  
128 all terms and conditions of their employment. Public employees  
129 shall have the right to refrain from exercising the right to be  
130 represented.

131 (3) Public employees shall have the right to engage in  
132 concerted activities not prohibited by law, for the purpose of  
133 collective bargaining or other mutual aid or protection. Public  
134 employees shall also have the right to refrain from engaging in  
135 such activities.

136 (4) Nothing in this part shall be construed to prevent any  
137 public employee from presenting, at any time, his or her own  
138 grievances, in person or by legal counsel, to his or her public  
139 employer and having such grievances adjusted without the  
140 intervention of the bargaining agent, if the adjustment is not  
141 inconsistent with the terms of the collective bargaining  
142 agreement then in effect and if the bargaining agent has been  
143 given reasonable opportunity to be present at any meeting called  
144 for the resolution of such grievances.

145 (5) In the case of community colleges and universities, the

20241746er

146 student government association of each community college or  
147 university shall establish procedures for the selection of, and  
148 shall select, a student representative to be present, at his or  
149 her discretion, at negotiations between the bargaining agent of  
150 the employees and the board of trustees. Each student  
151 representative shall have access to all written draft agreements  
152 and all other written documents pertaining to negotiations  
153 exchanged by the appropriate public employer and the bargaining  
154 agent, including a copy of any prepared written transcripts of  
155 any negotiating session. Each student representative shall have  
156 the right at reasonable times during the negotiating session to  
157 comment to the parties and to the public upon the impact of  
158 proposed agreements on the educational environment of students.  
159 Each student representative shall have the right to be  
160 accompanied by alternates or aides, not to exceed a combined  
161 total of two in number. Each student representative shall be  
162 obligated to participate in good faith during all negotiations  
163 and shall be subject to the rules and regulations of the Public  
164 Employees Relations Commission. The student representatives  
165 shall have neither voting nor veto power in any negotiation,  
166 action, or agreement. The state or any branch, agency, division,  
167 agent, or institution of the state, including community colleges  
168 and universities, may not expend any moneys from any source for  
169 the payment of reimbursement for travel expenses or per diem to  
170 aides, alternates, or student representatives participating in,  
171 observing, or contributing to any negotiating sessions between  
172 the bargaining parties.

173 Section 3. Section 447.303, Florida Statutes, is amended to  
174 read:

20241746er

175 447.303 Dues; deduction and collection.—

176 (1) Except as authorized in subsection (2) or subject to a  
177 waiver granted pursuant to s. 447.207(12) (a), an employee  
178 organization that has been certified as a bargaining agent may  
179 not have its dues and uniform assessments deducted and collected  
180 by the employer from the salaries of those employees in the  
181 unit. A public employee may pay dues and uniform assessments  
182 directly to the employee organization that has been certified as  
183 the bargaining agent.

184 (2) (a) An employee organization that has been certified as  
185 a bargaining agent to represent a bargaining unit the majority  
186 of whose employees eligible for representation are employed as  
187 law enforcement officers, correctional officers, or correctional  
188 probation officers as those terms are defined in s. 943.10(1),  
189 (2), or (3), respectively, ~~or~~ firefighters as defined in s.  
190 633.102, 911 public safety telecommunicators as defined in s.  
191 401.465(1) (a), or emergency medical technicians or paramedics as  
192 defined in s. 401.23 has the right to have its dues and uniform  
193 assessments for that bargaining unit deducted and collected by  
194 the employer from the salaries of those employees who authorize  
195 the deduction and collection of said dues and uniform  
196 assessments. However, such authorization is revocable at the  
197 employee's request upon 30 days' written notice to the employer  
198 and employee organization. Said deductions shall commence upon  
199 the bargaining agent's written request to the employer.

200 (b) Reasonable costs to the employer of said deductions is  
201 a proper subject of collective bargaining.

202 (c) Such right to deduction, unless revoked under s.  
203 447.507, is in force for so long as the employee organization

20241746er

204 remains the certified bargaining agent for the employees in the  
205 unit.

206 (3) The public employer is expressly prohibited from any  
207 involvement in the collection of fines, penalties, or special  
208 assessments.

209 Section 4. Section 447.305, Florida Statutes, is amended to  
210 read:

211 447.305 Registration of employee organization.—

212 (1) Every employee organization seeking to become a  
213 certified bargaining agent for public employees shall register  
214 with the commission pursuant to the procedures set forth in s.  
215 120.60 prior to requesting recognition by a public employer for  
216 purposes of collective bargaining and prior to submitting a  
217 petition to the commission requesting certification as an  
218 exclusive bargaining agent. Further, if such employee  
219 organization is not registered, it may not participate in a  
220 representation hearing, participate in a representation  
221 election, or be certified as an exclusive bargaining agent. The  
222 application for registration required by this section shall be  
223 under oath and in such form as the commission may prescribe and  
224 shall include:

225 (a) The name and address of the organization and of any  
226 parent organization or organization with which it is affiliated.

227 (b) The names and addresses of the principal officers and  
228 all representatives of the organization.

229 (c) The amount of the initiation fee and the amount and  
230 collection frequency of the ~~monthly~~ dues and uniform assessments  
231 that a member ~~which members~~ must pay.

232 (d) The current annual ~~audited~~ financial statement of the



20241746er

233 organization, prepared by an independent certified public  
234 accountant licensed under chapter 473.

235 (e) The name of its business agent, if any; if different  
236 from the business agent, the name of its local agent for service  
237 of process; and the addresses where such person or persons can  
238 be reached.

239 (f) A pledge, in a form prescribed by the commission, that  
240 the employee organization will conform to the laws of the state  
241 and that it will accept members without regard to age, race,  
242 sex, religion, or national origin.

243 (g) A copy of the current constitution and bylaws of the  
244 employee organization.

245 (h) A copy of the current constitution and bylaws of the  
246 state and national groups with which the employee organization  
247 is affiliated or associated. In lieu of this provision, and upon  
248 adoption of a rule by the commission, a state or national  
249 affiliate or parent organization of any registering labor  
250 organization may annually submit a copy of its current  
251 constitution and bylaws.

252 (2) A registration granted to an employee organization  
253 pursuant to ~~the provisions of~~ this section runs ~~shall run~~ for 1  
254 year from the date of issuance. A registration must ~~shall~~ be  
255 renewed annually by filing an application for renewal under oath  
256 with the commission, which application must ~~shall~~ reflect any  
257 changes in the information provided to the commission in  
258 conjunction with the employee organization's preceding  
259 application for registration or previous renewal, whichever is  
260 applicable. Each application for renewal of registration must  
261 ~~shall~~ include a current annual ~~audited~~ financial statement,

20241746er

262 prepared ~~certified~~ by an independent certified public accountant  
263 licensed under chapter 473 and signed by the employee  
264 organization's president and treasurer or corresponding  
265 principal officers, containing the following information in such  
266 detail as may be necessary accurately to disclose its financial  
267 condition and operations for its preceding fiscal year and in  
268 such categories as the commission may prescribe:

269 (a) Assets and liabilities at the beginning and end of the  
270 fiscal year;

271 (b) Receipts of any kind and the sources thereof;

272 (c) Disbursements by category;

273 (d) ~~(e)~~ Salary, allowances, and other direct or indirect  
274 disbursements, including reimbursed expenses, to each officer  
275 and also to each employee who, during such fiscal year, received  
276 more than \$10,000 in the aggregate from such employee  
277 organization and any other employee organization affiliated with  
278 it or with which it is affiliated or which is affiliated with  
279 the same national or international employee organization;

280 (e) ~~(d)~~ Direct and indirect loans made to any officer,  
281 employee, or member which aggregated more than \$250 during the  
282 fiscal year, together with a statement of the purpose, security,  
283 if any, and arrangements for repayment; and

284 (f) ~~(e)~~ Direct and indirect loans to any business  
285 enterprise, together with a statement of the purpose, security,  
286 if any, and arrangements for repayment.

287 (3) In addition to subsection (2), an employee organization  
288 that has been certified as the bargaining agent for public  
289 employees must include for each such certified bargaining unit  
290 the following information and documentation as of the 30th day

20241746er

291 immediately preceding the date upon which its current  
292 registration is scheduled to end ~~of renewal in its application~~  
293 for any renewal of registration on or after October 1, 2023:

294 (a) The number of employees in the bargaining unit who are  
295 eligible for representation by the employee organization.

296 (b) The number of employees in the bargaining unit who have  
297 submitted signed membership authorization forms without a  
298 subsequent revocation of such membership.

299 (c) The number of employees in the bargaining unit who paid  
300 dues to the employee organization.

301 (d) The number of employees in the bargaining unit who did  
302 not pay dues to the employee organization.

303 (e) Documentation provided by an independent certified  
304 public accountant retained by the employee organization which  
305 verifies the information provided in paragraphs (a)-(d).

306 (4) The employee organization must provide a copy of its  
307 application for renewal of registration relating to a public  
308 employer's employees to the public employer on the same day the  
309 application is submitted to the commission.

310 (5) An application for renewal of registration is  
311 incomplete and is not eligible for consideration by the  
312 commission if it does not include all of the information and  
313 documentation required in subsection (3). The commission shall  
314 notify the employee organization if the application is  
315 incomplete. An incomplete application must be dismissed if the  
316 required information and documentation are not provided within  
317 10 days after the employee organization receives such notice.

318 (6) Notwithstanding the provisions of this chapter relating  
319 to collective bargaining, an employee organization certified as

20241746er

320 a bargaining agent to represent a bargaining unit for which ~~that~~  
321 ~~had~~ less than 60 percent of the unit employees have submitted  
322 membership authorization forms without subsequent revocation and  
323 paid dues to the organization ~~eligible for representation in the~~  
324 ~~bargaining unit pay dues~~ during its last registration period  
325 must petition the commission pursuant to s. 447.307(2) and (3)  
326 for recertification as the exclusive representative of all  
327 employees in the bargaining unit within 30 days ~~1 month~~ after  
328 the date on which the employee organization applies for renewal  
329 of registration pursuant to subsection (2). The certification of  
330 an employee organization that does not comply with this section  
331 is revoked.

332 (7) The public employer or a bargaining unit employee may  
333 challenge an employee organization's application for renewal of  
334 registration if the public employer or bargaining unit employee  
335 believes that the application is inaccurate. The commission or  
336 one of its designated agents shall review the application to  
337 determine its accuracy and compliance with this section. If the  
338 commission finds that the application is inaccurate or does not  
339 comply with this section, the commission shall revoke the  
340 registration and certification of the employee organization.

341 (8) The commission may conduct an investigation to confirm  
342 the validity of any information submitted pursuant to this  
343 section. The commission may revoke or deny an employee  
344 organization's registration or certification if it finds that  
345 the employee organization:

346 (a) Failed to cooperate with the investigation conducted  
347 pursuant to this subsection, including refusal to permit the  
348 commission to inspect membership authorization forms or

20241746er

349 revocations pursuant to s. 447.301(1)(b)5.; or

350 (b) Intentionally misrepresented the information it  
351 submitted pursuant to this section ~~subsection (3)~~.

352  
353 A decision issued by the commission pursuant to this subsection  
354 is a final agency action that is reviewable pursuant to s.  
355 447.504.

356 (9) An employee organization is exempt from the  
357 requirements of subsections (3)-(8) only with respect to the  
358 circumstances of each bargaining unit the majority of whose  
359 employees eligible for representation are employed as ~~do not~~  
360 apply to an employee organization that has been certified as the  
361 bargaining agent to represent law enforcement officers,  
362 correctional officers, or correctional probation officers as  
363 those terms are defined in s. 943.10(1), (2), or (3),  
364 respectively, ~~or~~ firefighters as defined in s. 633.102, 911  
365 public safety telecommunicators as defined in s. 401.465(1)(a),  
366 or emergency medical technicians or paramedics as defined in s.  
367 401.23.

368 (10) A registration fee shall accompany each application  
369 filed with the commission. The amount charged for an application  
370 for registration or renewal of registration shall not exceed  
371 \$15. All such money collected by the commission shall be  
372 deposited in the General Revenue Fund.

373 (11) Every employee organization shall keep accurate  
374 accounts of its income and expenses, which accounts shall be  
375 open for inspection at all reasonable times by any member of the  
376 organization or by the commission. In addition, each employee  
377 organization that has been certified as a bargaining agent must

20241746er

378 provide to its members an annual ~~audited~~ financial report  
379 prepared by an independent certified public accountant licensed  
380 under chapter 473 that includes a detailed breakdown of revenues  
381 and expenditures in such categories as the commission may  
382 prescribe, and an accounting of membership dues and assessments.  
383 The employee organization must notify its members annually of  
384 all costs of membership.

385 Section 5. (1) For an application for renewal of  
386 registration as an employee organization filed pursuant to s.  
387 447.305(2), Florida Statutes, between July 1, 2023, and the  
388 effective date of this act, an employee organization may submit  
389 a current annual financial statement containing the information  
390 required by s. 447.305(2), Florida Statutes, prepared by an  
391 independent certified accountant licensed under chapter 473,  
392 Florida Statutes, and signed by the employee organization's  
393 president and treasurer or corresponding principal officers in  
394 lieu of an annual audited financial statement certified by an  
395 independent certified public accountant licensed under chapter  
396 473, Florida Statutes.

397 (2) For applications of renewal of registration of employee  
398 organizations filed pursuant to s. 447.305, Florida Statutes,  
399 between July 1, 2023, and the effective date of this act, the  
400 Public Employees Relations Commission may not deny the renewal  
401 or revoke the registration of an employee organization based  
402 solely upon the employee organization's failure to submit a  
403 current annual audited financial statement certified by an  
404 independent certified public accountant licensed under chapter  
405 473, Florida Statutes.

406 Section 6. This act shall take effect upon becoming law.