

By Senator Fine

19-00930-25

20251328__

1 A bill to be entitled
2 An act relating to public employee collective
3 bargaining; reordering and amending s. 447.203, F.S.;
4 defining terms; amending s. 447.307, F.S.; requiring
5 employee organizations or public employees seeking to
6 certify, recertify, or decertify a bargaining agent to
7 file a petition with the Public Employees Relations
8 Commission; requiring that such petition be
9 accompanied by certain information; authorizing
10 registered employee organizations desiring placement
11 on the ballot in a certification or recertification
12 election to be permitted with a showing of interest
13 from a certain percentage of public employees in the
14 proposed or existing bargaining unit; providing that
15 the showing of interest is confidential and exempt
16 from public disclosure; prohibiting the filing of a
17 petition for certification or decertification for a
18 proposed or existing bargaining unit within a
19 specified timeframe after the commission verifies the
20 result of a certification election that covers any of
21 the employees of such proposed or existing bargaining
22 unit; requiring, rather than authorizing, the
23 dismissal of a petition for certification or
24 decertification if such petition is insufficient;
25 requiring the commission to take certain action if
26 such petition is sufficient; requiring certain
27 elections to be determined by a majority vote of the
28 employees in the bargaining unit; providing
29 exceptions; requiring that certain elections in

19-00930-25

20251328__

30 bargaining units in which the majority of the
31 employees are public safety employees be determined by
32 a majority vote of employees voting in the election;
33 providing that certification, recertification, or
34 revocation is effective upon the issuance of a final
35 order by the commission, or at the time the appeal of
36 such order is exhausted; deleting a prohibition on the
37 filing of petitions seeking an election within a
38 specified timeframe after the commission order
39 verifies such election; deleting a provision that a
40 petition for certification may be filed under certain
41 circumstances when there is a valid collective
42 agreement already in effect; repealing s. 447.308,
43 F.S., relating to revocation of certification of
44 employee organizations; amending s. 447.509, F.S.;
45 prohibiting public employers, their agents or
46 representatives, or persons acting on their behalf
47 from denying access to or use of certain events,
48 facilities, equipment, and resources; prohibiting such
49 entities or persons acting on their behalf from
50 providing compensation or paid leave to public
51 employees for a specified purpose; authorizing public
52 employees to engage in specified employee organization
53 activities under certain circumstances; providing
54 applicability; amending s. 447.207, F.S.; conforming a
55 provision to changes made by the act; amending ss.
56 110.114, 110.205, 112.3187, 121.031, 447.02, 447.305,
57 and 1011.60, F.S.; conforming cross-references;
58 reenacting s. 120.80(12)(b), F.S., relating to the

19-00930-25

20251328__

59 Public Employees Relations Commission, to incorporate
60 the amendment made to s. 447.307, F.S., in a reference
61 thereto; providing an effective date.
62

63 Be It Enacted by the Legislature of the State of Florida:
64

65 Section 1. Section 447.203, Florida Statutes, is reordered
66 and amended to read:

67 447.203 Definitions.—As used in this part:

68 (6)~~(1)~~ "Commission" means the Public Employees Relations
69 Commission created by s. 447.205.

70 (16)~~(2)~~ "Public employer" or "employer" means the state or
71 any county, municipality, or special district or any subdivision
72 or agency thereof which the commission determines has sufficient
73 legal distinctiveness properly to carry out the functions of a
74 public employer. With respect to all public employees determined
75 by the commission as properly belonging to a statewide
76 bargaining unit composed of State Career Service System
77 employees or Selected Professional Service employees, the
78 Governor is deemed to be the public employer; and the Board of
79 Governors of the State University System, or the board's
80 designee, is deemed to be the public employer with respect to
81 all public employees of each constituent state university. The
82 board of trustees of a community college is deemed to be the
83 public employer with respect to all employees of the community
84 college. The district school board is deemed to be the public
85 employer with respect to all employees of the school district.
86 The Board of Trustees of the Florida School for the Deaf and the
87 Blind is deemed to be the public employer with respect to the

19-00930-25

20251328__

88 academic and academic administrative personnel of the Florida
89 School for the Deaf and the Blind. The Board of Trustees of the
90 Florida School for Competitive Academics is deemed to be the
91 public employer with respect to the academic and academic
92 administrative personnel of the Florida School for Competitive
93 Academics. The Governor is deemed to be the public employer with
94 respect to all employees in the Correctional Education Program
95 of the Department of Corrections established pursuant to s.
96 944.801.

97 (15)~~(3)~~ "Public employee" means any person employed by a
98 public employer except:

99 (a) Those persons appointed by the Governor or elected by
100 the people, agency heads, and members of boards and commissions.

101 (b) Those persons holding positions by appointment or
102 employment in the organized militia.

103 (c) Those individuals acting as negotiating representatives
104 for employer authorities.

105 (d) Those persons who are designated by the commission as
106 managerial or confidential employees pursuant to criteria
107 contained herein.

108 (e) Those persons holding positions of employment with the
109 Florida Legislature.

110 (f) Those persons who have been convicted of a crime and
111 are inmates confined to institutions within the state.

112 (g) Those persons appointed to inspection positions in
113 federal/state fruit and vegetable inspection service whose
114 conditions of appointment are affected by the following:

- 115 1. Federal license requirement.
- 116 2. Federal autonomy regarding investigation and

19-00930-25

20251328__

117 disciplining of appointees.

118 3. Frequent transfers due to harvesting conditions.

119 (h) Those persons employed by the Public Employees
120 Relations Commission.

121 (i) Those persons enrolled as undergraduate students in a
122 state university who perform part-time work for the state
123 university.

124 (12)~~(4)~~ "Managerial employees" are those employees who:

125 (a) Perform jobs that are not of a routine, clerical, or
126 ministerial nature and require the exercise of independent
127 judgment in the performance of such jobs and to whom one or more
128 of the following applies:

129 1. They formulate or assist in formulating policies which
130 are applicable to bargaining unit employees.

131 2. They may reasonably be required on behalf of the
132 employer to assist in the preparation for the conduct of
133 collective bargaining negotiations.

134 3. They have a role in the administration of agreements
135 resulting from collective bargaining negotiations.

136 4. They have a significant role in personnel
137 administration.

138 5. They have a significant role in employee relations.

139 6. They are included in the definition of administrative
140 personnel contained in s. 1012.01(3).

141 7. They have a significant role in the preparation or
142 administration of budgets for any public agency or institution
143 or subdivision thereof.

144 (b) Serve as police chiefs, fire chiefs, or directors of
145 public safety of any police, fire, or public safety department.

19-00930-25

20251328__

146 Other police officers, as defined in s. 943.10(1), and
147 firefighters, as defined in s. 633.102, may be determined by the
148 commission to be managerial employees of such departments. In
149 making such determinations, the commission shall consider, in
150 addition to the criteria established in paragraph (a), the
151 paramilitary organizational structure of the department
152 involved.

153

154 However, in determining whether an individual is a managerial
155 employee pursuant to paragraph (a) or paragraph (b), above, the
156 commission may consider historic relationships of the employee
157 to the public employer and to coemployees.

158 (7)~~(5)~~ "Confidential employees" are persons who act in a
159 confidential capacity to assist or aid managerial employees as
160 defined in subsection (12) ~~(4)~~.

161 (19)~~(6)~~ "Strike" means the concerted failure of employees
162 to report for duty; the concerted absence of employees from
163 their positions; the concerted stoppage of work by employees;
164 the concerted submission of resignations by employees; the
165 concerted abstinence in whole or in part by any group of
166 employees from the full and faithful performance of the duties
167 of employment with a public employer for the purpose of
168 inducing, influencing, condoning, or coercing a change in the
169 terms and conditions of employment or the rights, privileges, or
170 obligations of public employment, or participating in a
171 deliberate and concerted course of conduct which adversely
172 affects the services of the public employer; the concerted
173 failure of employees to report for work after the expiration of
174 a collective bargaining agreement; and picketing in furtherance

19-00930-25

20251328__

175 of a work stoppage. The term "strike" shall also mean any overt
176 preparation, including, but not limited to, the establishment of
177 strike funds with regard to the above-listed activities.

178 ~~(20)(7)~~ "Strike funds" are any appropriations by an
179 employee organization which are established to directly or
180 indirectly aid any employee or employee organization to
181 participate in a strike in the state.

182 ~~(2)(8)~~ "Bargaining unit" means either that unit determined
183 by the commission, that unit determined through local
184 regulations promulgated pursuant to s. 447.603, or that unit
185 determined by the public employer and the public employee
186 organization and approved by the commission to be appropriate
187 for the purposes of collective bargaining. However, no
188 bargaining unit shall be defined as appropriate which includes
189 employees of two employers that are not departments or divisions
190 of the state, a county, a municipality, or other political
191 entity.

192 (9) "Employee organization activities" means activities
193 undertaken at the direction of, on behalf of, or to advance the
194 purposes of an employee organization or any parent organization
195 or affiliate of the employee organization, including, but not
196 limited to, by:

197 (a) Supporting or opposing any candidate for federal,
198 state, or local public office.

199 (b) Influencing the passage or defeat of any federal or
200 state legislation, federal or state regulation, local ordinance
201 or resolution, or ballot measure.

202 (c) Promoting or soliciting membership or participation in,
203 or financial support of, an employee organization or any parent

19-00930-25

20251328__

- 204 organization or affiliate of the employee organization.
- 205 (d) Seeking certification as a bargaining agent.
- 206 (e) Participating in the administration, business, or
207 internal governance of an employee organization or any parent
208 organization or affiliate of the employee organization.
- 209 (f) Preparing, conducting, or attending employee
210 organization events, conferences, conventions, meetings, or
211 training, unless such training is directly related to the
212 performance of public employees' job duties.
- 213 (g) Distributing communications of an employee organization
214 or any parent organization or affiliate of the employee
215 organization.
- 216 (h) Representing or speaking on behalf of an employee
217 organization or any parent organization or affiliate of the
218 employee organization in any setting, venue, or procedure in
219 which the public employer is not a participant.
- 220 (i) Preparing, filing, or pursuing unfair labor practice
221 charges or grievances.
- 222 (j) Representing public employees in investigatory
223 interviews, disciplinary proceedings or appeals, up to and
224 including termination, or other administrative or legal
225 proceedings.
- 226 (k) Engaging in collective bargaining and any related
227 mediation, factfinding, or arbitration.
- 228 (l) Administering a collective bargaining agreement.
- 229 (m) Participating in labor-management committees.
- 230 (3)(9)- "Chief executive officer" for the state shall mean
231 the Governor and for other public employers shall mean the
232 person, whether elected or appointed, who is responsible to the

19-00930-25

20251328__

233 legislative body of the public employer for the administration
234 of the governmental affairs of the public employer.

235 (11)~~(10)~~ "Legislative body" means the State Legislature,
236 the board of county commissioners, the district school board,
237 the governing body of a municipality, or the governing body of
238 an instrumentality or unit of government having authority to
239 appropriate funds and establish policy governing the terms and
240 conditions of employment and which, as the case may be, is the
241 appropriate legislative body for the bargaining unit. For
242 purposes of s. 447.403, the Board of Governors of the State
243 University System, or the board's designee, shall be deemed to
244 be the legislative body with respect to all employees of each
245 constituent state university. For purposes of s. 447.403 the
246 board of trustees of a community college shall be deemed to be
247 the legislative body with respect to all employees of the
248 community college.

249 (8)~~(11)~~ "Employee organization" or "organization" means any
250 labor organization, union, association, fraternal order,
251 occupational or professional society, or group, however
252 organized or constituted, which represents, or seeks to
253 represent, any public employee or group of public employees
254 concerning any matters relating to their employment relationship
255 with a public employer.

256 (1)~~(12)~~ "Bargaining agent" means the employee organization
257 which has been certified by the commission as representing the
258 employees in the bargaining unit, as provided in s. 447.307, or
259 its representative.

260 (14)~~(13)~~ "Professional employee" means:

261 (a) Any employee engaged in work in any two or more of the

19-00930-25

20251328__

262 following categories:

263 1. Work predominantly intellectual and varied in character
264 as opposed to routine mental, manual, mechanical, or physical
265 work;

266 2. Work involving the consistent exercise of discretion and
267 judgment in its performance;

268 3. Work of such a character that the output produced or the
269 result accomplished cannot be standardized in relation to a
270 given period of time; and

271 4. Work requiring advanced knowledge in a field of science
272 or learning customarily acquired by a prolonged course of
273 specialized intellectual instruction and study in an institution
274 of higher learning or a hospital, as distinguished from a
275 general academic education, an apprenticeship, or training in
276 the performance of routine mental or physical processes.

277 (b) Any employee who:

278 1. Has completed the course of specialized intellectual
279 instruction and study described in subparagraph 4. of paragraph
280 (a); and

281 2. Is performing related work under supervision of a
282 professional person to qualify to become a professional employee
283 as defined in paragraph (a).

284 (5) ~~(14)~~ "Collective bargaining" means the performance of
285 the mutual obligations of the public employer and the bargaining
286 agent of the employee organization to meet at reasonable times,
287 to negotiate in good faith, and to execute a written contract
288 with respect to agreements reached concerning the terms and
289 conditions of employment, except that neither party shall be
290 compelled to agree to a proposal or be required to make a

19-00930-25

20251328__

291 concession unless otherwise provided in this part.

292 (13)~~(15)~~ "Membership dues deduction" means the practice of
293 a public employer of deducting dues and uniform assessments from
294 the salary or wages of a public employee. Such term also means
295 the practice of a public employer of transmitting the sums so
296 deducted to such employee organization.

297 (4)~~(16)~~ "Civil service" means any career, civil, or merit
298 system used by any public employer.

299 (10)~~(17)~~ "Good faith bargaining" shall mean, but not be
300 limited to, the willingness of both parties to meet at
301 reasonable times and places, as mutually agreed upon, in order
302 to discuss issues which are proper subjects of bargaining, with
303 the intent of reaching a common accord. It shall include an
304 obligation for both parties to participate actively in the
305 negotiations with an open mind and a sincere desire, as well as
306 making a sincere effort, to resolve differences and come to an
307 agreement. In determining whether a party failed to bargain in
308 good faith, the commission shall consider the total conduct of
309 the parties during negotiations as well as the specific
310 incidents of alleged bad faith. Incidents indicative of bad
311 faith shall include, but not be limited to, the following
312 occurrences:

313 (a) Failure to meet at reasonable times and places with
314 representatives of the other party for the purpose of
315 negotiations.

316 (b) Placing unreasonable restrictions on the other party as
317 a prerequisite to meeting.

318 (c) Failure to discuss bargainable issues.

319 (d) Refusing, upon reasonable written request, to provide

19-00930-25

20251328__

320 public information, excluding work products as defined in s.
321 447.605.

322 (e) Refusing to negotiate because of an unwanted person on
323 the opposing negotiating team.

324 (f) Negotiating directly with employees rather than with
325 their certified bargaining agent.

326 (g) Refusing to reduce a total agreement to writing.

327 (17) "Representational employee organization activities"
328 means those activities specified in paragraphs (9) (i)-(m).

329 (18) "Signature card" means a written statement by a public
330 employee in a bargaining unit or proposed bargaining unit which:

331 (a) Is submitted to the commission in support of a petition
332 filed under s. 447.307;

333 (b) Was signed and dated by the public employee within the
334 12 months preceding the filing of the petition; and

335 (c) Indicates:

336 1. The public employee's desire to be represented for
337 purposes of collective bargaining by the employee organization;
338 or

339 2. The public employee's desire to no longer be represented
340 for purposes of collective bargaining by the bargaining agent.

341 (21) ~~(18)~~ "Student representative" means the representative
342 selected by each community college or university student
343 government association. Each representative may be present at
344 all negotiating sessions that take place between the appropriate
345 public employer and an exclusive bargaining agent. The
346 representative must be enrolled as a student with at least 8
347 credit hours in the respective community college or university
348 during his or her term as student representative.

19-00930-25

20251328__

349 Section 2. Section 447.307, Florida Statutes, is amended to
350 read:

351 447.307 Certification, recertification, and decertification
352 of employee organizations ~~organization~~.

353 (1) ~~(a)~~ An employee organization seeking certification as a
354 bargaining agent, an employee organization seeking
355 recertification as a bargaining agent pursuant to s. 447.305, or
356 a public employee or group of public employees seeking to
357 decertify a bargaining agent must ~~Any employee organization~~
358 ~~which is designated or selected by a majority of public~~
359 ~~employees in an appropriate unit as their representative for~~
360 ~~purposes of collective bargaining shall request recognition by~~
361 ~~the public employer. The public employer shall, if satisfied as~~
362 ~~to the majority status of the employee organization and the~~
363 ~~appropriateness of the proposed unit, recognize the employee~~
364 ~~organization as the collective bargaining representative of~~
365 ~~employees in the designated unit. Upon recognition by a public~~
366 ~~employer, the employee organization shall immediately petition~~
367 ~~the commission for certification. The commission shall review~~
368 ~~only the appropriateness of the unit proposed by the employee~~
369 ~~organization. If the unit is appropriate according to the~~
370 ~~criteria used in this part, the commission shall immediately~~
371 ~~certify the employee organization as the exclusive~~
372 ~~representative of all employees in the unit. If the unit is~~
373 ~~inappropriate according to the criteria used in this part, the~~
374 ~~commission may dismiss the petition.~~

375 ~~(b) Whenever a public employer recognizes an employee~~
376 ~~organization on the basis of majority status and on the basis of~~
377 ~~appropriateness in accordance with subparagraph (4) (f) 5. of this~~

19-00930-25

20251328__

378 ~~section, the commission shall, in the absence of inclusion of a~~
379 ~~prohibited category of employees or violation of s. 447.501,~~
380 ~~certify the proposed unit.~~

381 ~~(2) If the public employer refuses to recognize the~~
382 ~~employee organization, the employee organization may file a~~
383 ~~petition with the commission for certification as the bargaining~~
384 ~~agent for a proposed bargaining unit. The petition shall be~~
385 ~~accompanied by a showing of interest from dated statements~~
386 ~~signed by at least 30 percent of the public employees in the~~
387 ~~proposed or existing bargaining unit, indicating that such~~
388 ~~employees desire to be represented for purposes of collective~~
389 ~~bargaining by the petitioning employee organization. Once a~~
390 ~~petition for certification has been filed by an employee~~
391 ~~organization, Any registered employee organization desiring~~
392 ~~placement on the ballot in any certification or recertification~~
393 ~~election to be conducted pursuant to this section may be~~
394 ~~permitted by the commission to intervene in the proceeding upon~~
395 ~~a motion accompanied by a showing of interest from dated~~
396 ~~statements signed by at least 10 percent of the public employees~~
397 ~~in the proposed or existing bargaining unit, indicating that~~
398 ~~such employees desire to be represented for the purposes of~~
399 ~~collective bargaining by the moving employee organization. A~~
400 ~~showing of interest is The petitions and dated statements signed~~
401 ~~by the employees are confidential and exempt from the provisions~~
402 ~~of s. 119.07(1), except that any employee, employer, or employee~~
403 ~~organization having sufficient reason to believe any of the~~
404 ~~employee signatures were obtained by collusion, coercion,~~
405 ~~intimidation, or misrepresentation or are otherwise invalid~~
406 ~~shall be given a reasonable opportunity to verify and challenge~~

19-00930-25

20251328__

407 the signatures appearing on the petition.

408 (2) A petition for certification or decertification may not
409 be filed regarding any proposed or existing bargaining unit
410 within 12 months after the date of a commission order verifying
411 the results of a certification election covering any of the
412 employees of the proposed or existing bargaining unit.

413 ~~(3)(a)~~ The commission or one of its designated agents shall
414 investigate the petition to determine its sufficiency; ~~if it has~~
415 ~~reasonable cause to believe that the petition is sufficient, the~~
416 ~~commission shall provide for an appropriate hearing upon due~~
417 ~~notice. Such a hearing may be conducted by an agent of the~~
418 ~~commission. If the commission finds the petition is to be~~
419 ~~insufficient, it must be dismissed may dismiss the petition. If~~
420 ~~the commission finds upon the record of the hearing that the~~
421 ~~petition is sufficient, the commission must it shall immediately~~
422 do all of the following:

423 (a)1. Define the proposed or existing bargaining unit and
424 determine which public employees shall be qualified and entitled
425 to vote at any election held by the commission. The commission
426 may provide for a hearing upon due notice.

427 (b)2. Identify the public employer or employers for
428 purposes of collective bargaining ~~with the bargaining agent.~~

429 (c)3. Order an election by secret ballot, the cost of said
430 election and any required runoff election to be borne equally by
431 the parties, except as the commission may provide by rule. The
432 commission's order assessing costs of an election may be
433 enforced pursuant to the provisions of this part.

434 (4) (a) ~~(b)~~ Except with respect to bargaining units in which
435 the majority of the employees are law enforcement officers,

19-00930-25

20251328__

436 correctional officers, or correctional probation officers as
437 those terms are defined in s. 943.10(1), (2), or (3),
438 respectively; firefighters as defined in s. 633.102; 911 public
439 safety telecommunicators as defined in s. 401.465(1)(a); or
440 emergency medical technicians or paramedics as those terms are
441 defined in s. 401.23, all elections must be determined by a
442 majority vote of the employees in the bargaining unit for all
443 petitions for certification, recertification, or decertification
444 filed on or after July 1, 2025, as follows:

445 1. In certification and recertification elections, when an
446 employee organization is selected by a majority vote of the
447 employees in the bargaining unit ~~voting in an election,~~ the
448 commission shall certify the employee organization as the
449 ~~exclusive collective bargaining agent for the representative of~~
450 ~~all~~ employees in the bargaining unit. If there are three or more
451 ~~Certification is effective upon the issuance of the final order~~
452 ~~by the commission or, if the final order is appealed, at the~~
453 ~~time the appeal is exhausted or any stay is vacated by the~~
454 ~~commission or the court.~~

455 ~~(c) In any election in which none of the choices on the~~
456 ballot and none receives a majority of the votes of the
457 bargaining unit ~~the vote of a majority of the employees voting,~~
458 a runoff election shall be held between the two choices
459 receiving the most votes according to rules promulgated by the
460 commission.

461 2. In decertification elections, if the bargaining agent
462 fails to receive the votes of a majority of the bargaining unit,
463 the commission must revoke the bargaining agent's certification
464 for that bargaining unit. If a majority of the bargaining unit

19-00930-25

20251328__

465 votes against decertification, the bargaining agent retains its
466 certification for that bargaining unit.

467 3. An employee organization whose certification is revoked
468 pursuant to this paragraph is not permitted to file a petition
469 for certification covering any of the employees in the
470 bargaining unit defined in the revoked certification for a
471 period of 12 months after the date the employee organization's
472 certification was revoked.

473 (b) With respect to bargaining units in which the majority
474 of the employees are law enforcement officers, correctional
475 officers, or correctional probation officers as those terms are
476 defined in s. 943.10(1), (2), or (3), respectively; firefighters
477 as defined in s. 633.102; 911 public safety telecommunicators as
478 defined in s. 401.465(1)(a); or emergency medical technicians or
479 paramedics as those terms are defined in s. 401.23, all
480 elections shall be determined by a majority vote of the
481 employees voting in an election, as follows:

482 1. In certification elections, when an employee
483 organization is selected by a majority vote, the commission
484 shall certify the employee organization as the bargaining agent
485 for the employees in the bargaining unit. If none of the choices
486 on the ballot receives a majority vote, a runoff election must
487 be held according to rules adopted by the commission.

488 2. In decertification elections, if a majority votes in
489 favor of decertification, the commission must revoke the
490 bargaining agent's certification for that bargaining unit. If a
491 majority votes against decertification, the bargaining agent
492 retains its certification for that bargaining unit.

493 (c) Certification, recertification, or revocation pursuant

19-00930-25

20251328__

494 to this section is effective upon the issuance of the final
495 order by the commission or, if the final order is appealed, at
496 the time the appeal is exhausted or any stay is vacated by the
497 commission or the court

498 ~~(d) No petition may be filed seeking an election in any~~
499 ~~proposed or existing appropriate bargaining unit to determine~~
500 ~~the exclusive bargaining agent within 12 months after the date~~
501 ~~of a commission order verifying a representation election or, if~~
502 ~~an employee organization prevails, within 12 months after the~~
503 ~~date of an effective certification covering any of the employees~~
504 ~~in the proposed or existing bargaining unit. Furthermore, if a~~
505 ~~valid collective bargaining agreement covering any of the~~
506 ~~employees in a proposed unit is in effect, a petition for~~
507 ~~certification may be filed with the commission only during the~~
508 ~~period extending from 150 days to 90 days immediately preceding~~
509 ~~the expiration date of that agreement, or at any time subsequent~~
510 ~~to its expiration date but prior to the effective date of any~~
511 ~~new agreement. The effective date of a collective bargaining~~
512 ~~agreement means the date of ratification by both parties, if the~~
513 ~~agreement becomes effective immediately or retroactively; or its~~
514 ~~actual effective date, if the agreement becomes effective after~~
515 ~~its ratification date.~~

516 (5)~~(4)~~ In defining a proposed bargaining unit, the
517 commission shall take into consideration:

518 (a) The principles of efficient administration of
519 government.

520 (b) The number of employee organizations with which the
521 employer might have to negotiate.

522 (c) The compatibility of the unit with the joint

19-00930-25

20251328__

523 responsibilities of the public employer and public employees to
524 represent the public.

525 (d) The power of the officials of government at the level
526 of the unit to agree, or make effective recommendations to
527 another administrative authority or to a legislative body, with
528 respect to matters of employment upon which the employee desires
529 to negotiate.

530 (e) The organizational structure of the public employer.

531 (f) Community of interest among the employees to be
532 included in the unit, considering:

533 1. The manner in which wages and other terms of employment
534 are determined.

535 2. The method by which jobs and salary classifications are
536 determined.

537 3. The interdependence of jobs and interchange of
538 employees.

539 4. The desires of the employees.

540 5. The history of employee relations within the
541 organization of the public employer concerning organization and
542 negotiation and the interest of the employees and the employer
543 in the continuation of a traditional, workable, and accepted
544 negotiation relationship.

545 (g) The statutory authority of the public employer to
546 administer a classification and pay plan.

547 (h) Such other factors and policies as the commission may
548 deem appropriate.

549

550 However, no unit shall be established or approved for purposes
551 of collective bargaining which includes both professional and

19-00930-25

20251328__

552 nonprofessional employees unless a majority of each group votes
553 for inclusion in such unit.

554 Section 3. Section 447.308, Florida Statutes, is repealed.

555 Section 4. Present subsection (3) of section 447.509,
556 Florida Statutes, is redesignated as subsection (6), and a new
557 subsection (3) and subsections (4) and (5) are added to that
558 section, to read:

559 447.509 Other unlawful acts.—

560 (3) Public employers, their agents or representatives, or
561 any persons acting on their behalf are prohibited from doing all
562 of the following:

563 (a) Denying any employee organization or entity governed by
564 the Florida Not For Profit Corporation Act access to or use of
565 the public employer's meetings, events, facilities,
566 communications systems, mailboxes, computer systems, equipment,
567 supplies, or other resources if the public employer permits
568 another employee organization or its affiliate such access or
569 use.

570 (b) Providing any form of compensation or paid leave to a
571 public employee, directly or indirectly, for the purpose of
572 engaging in employee organization activities.

573 (4) Upon agreement by a public employer and bargaining
574 agent in collective bargaining:

575 (a) A public employee may be granted time off without pay
576 or benefits to engage in employee organization activities. An
577 employee organization may, at its discretion, compensate a
578 public employee for engaging in employee organization
579 activities.

580 (b) A public employee may use compensated personal leave,

19-00930-25

20251328__

581 whether their own or voluntarily donated by employees in the
582 bargaining unit, to engage in employee organization activities
583 if:

584 1. The leave is accrued at the same rate by similarly
585 situated public employees in the bargaining unit without regard
586 to membership in or participation with an employee organization.

587 2. The employee may freely choose how to use the leave.

588 (c) A public employee may engage in representational
589 employee organization activities on behalf of a bargaining agent
590 while in a duty status without loss of pay or benefits if:

591 1. The bargaining agent reports to the public employer not
592 less than twice per calendar year the amount of time, in
593 increments rounded to the nearest quarter of an hour, spent on
594 representational employee organization activities each day by
595 each public employee in the bargaining unit engaged in such
596 activities.

597 2. The public employer calculates the pro rata value of
598 compensation, including wages and fringe benefits, paid or
599 accruing to a public employee for time spent engaged in
600 representational employee organization activities and provides
601 an invoice to the bargaining agent not less than twice per
602 calendar year for the amounts so calculated.

603 3. Upon receipt of an invoice, the bargaining agent remits
604 full payment to the public employer within 30 days.

605 (5) Subsections (3) and (4) do not apply to employees in a
606 bargaining unit in which the majority of employees are law
607 enforcement officers, correctional officers, or correctional
608 probation officers as those terms are defined in s. 943.10(1),
609 (2), or (3), respectively; firefighters as defined in s.

19-00930-25

20251328__

610 633.102; 911 public safety telecommunicators as defined in s.
611 401.465(1) (a); or emergency medical technicians or paramedics as
612 those terms are defined in s. 401.23.

613 Section 5. Paragraph (d) is added to subsection (12) of
614 section 447.207, Florida Statutes, and subsection (6) of that
615 section is reenacted, to read:

616 447.207 Commission; powers and duties.—

617 (6) Pursuant to its established procedures, the commission
618 shall resolve questions and controversies concerning claims for
619 recognition as the bargaining agent for a bargaining unit,
620 determine or approve units appropriate for purposes of
621 collective bargaining, expeditiously process charges of unfair
622 labor practices and violations of s. 447.505 by public
623 employees, and resolve such other questions and controversies as
624 it may be authorized herein to undertake. The petitioner,
625 charging party, respondent, and any intervenors shall be the
626 adversary parties before the commission in any adjudicatory
627 proceeding conducted pursuant to this part. Any commission
628 statement of general applicability that implements, interprets,
629 or prescribes law or policy, made in the course of adjudicating
630 a case pursuant to s. 447.307 or s. 447.503 shall not constitute
631 a rule within the meaning of s. 120.52.

632 (12) Upon a petition by a public employer after it has been
633 notified by the Department of Labor that the public employer's
634 protective arrangement covering mass transit employees does not
635 meet the requirements of 49 U.S.C. s. 5333(b) and would
636 jeopardize the employer's continued eligibility to receive
637 Federal Transit Administration funding, the commission may
638 waive, to the extent necessary for the public employer to comply

19-00930-25

20251328__

639 with the requirements of 49 U.S.C. s. 5333(b), any of the
640 following for an employee organization that has been certified
641 as a bargaining agent to represent mass transit employees:

642 (d) The prohibited actions of public employers in s.
643 447.509(3) and (4).

644 Section 6. Subsection (3) of section 110.114, Florida
645 Statutes, is amended to read:

646 110.114 Employee wage deductions.—

647 (3) Notwithstanding the provisions of subsections (1) and
648 (2), the deduction of an employee's membership dues deductions
649 as defined in s. 447.203 ~~s. 447.203(15)~~ for an employee
650 organization as defined in s. 447.203 ~~is s. 447.203(11) shall be~~
651 authorized or permitted only for an organization that has been
652 certified as the exclusive bargaining agent pursuant to chapter
653 447 for a unit of state employees in which the employee is
654 included. Such deductions shall be subject to the provisions of
655 s. 447.303.

656 Section 7. Paragraph (w) of subsection (2) of section
657 110.205, Florida Statutes, is amended to read:

658 110.205 Career service; exemptions.—

659 (2) EXEMPT POSITIONS.—The exempt positions that are not
660 covered by this part include the following:

661 (w) Managerial employees, as defined in s. 447.203 ~~s.~~
662 ~~447.203(4)~~, confidential employees, as defined in s. 447.203 ~~s.~~
663 ~~447.203(5)~~, and supervisory employees who spend the majority of
664 their time communicating with, motivating, training, and
665 evaluating employees, and planning and directing employees'
666 work, and who have the authority to hire, transfer, suspend, lay
667 off, recall, promote, discharge, assign, reward, or discipline

19-00930-25

20251328__

668 subordinate employees or effectively recommend such action,
669 including all employees serving as supervisors, administrators,
670 and directors. Excluded are employees also designated as special
671 risk or special risk administrative support and attorneys who
672 serve as administrative law judges pursuant to s. 120.65 or for
673 hearings conducted pursuant to s. 120.57(1)(a). Additionally,
674 registered nurses licensed under chapter 464, dentists licensed
675 under chapter 466, psychologists licensed under chapter 490 or
676 chapter 491, nutritionists or dietitians licensed under part X
677 of chapter 468, pharmacists licensed under chapter 465,
678 psychological specialists licensed under chapter 491, physical
679 therapists licensed under chapter 486, and speech therapists
680 licensed under part I of chapter 468 are excluded, unless
681 otherwise collectively bargained.

682 Section 8. Subsection (6) of section 112.3187, Florida
683 Statutes, is amended to read:

684 112.3187 Adverse action against employee for disclosing
685 information of specified nature prohibited; employee remedy and
686 relief.—

687 (6) TO WHOM INFORMATION DISCLOSED.—The information
688 disclosed under this section must be disclosed to any agency or
689 federal government entity having the authority to investigate,
690 police, manage, or otherwise remedy the violation or act,
691 including, but not limited to, the Office of the Chief Inspector
692 General, an agency inspector general or the employee designated
693 as agency inspector general under s. 112.3189(1) or inspectors
694 general under s. 20.055, the Florida Commission on Human
695 Relations, and the whistle-blower's hotline created under s.
696 112.3189. However, for disclosures concerning a local

19-00930-25

20251328__

697 governmental entity, including any regional, county, or
698 municipal entity, special district, community college district,
699 or school district or any political subdivision of any of the
700 foregoing, the information must be disclosed to a chief
701 executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or
702 other appropriate local official.

703 Section 9. Subsection (5) of section 121.031, Florida
704 Statutes, is amended to read:

705 121.031 Administration of system; appropriation; oaths;
706 actuarial studies; public records.—

707 (5) The names and addresses of retirees are confidential
708 and exempt from the provisions of s. 119.07(1) to the extent
709 that no state or local governmental agency may provide the names
710 or addresses of such persons in aggregate, compiled, or list
711 form to any person except to a public agency engaged in official
712 business. However, a state or local government agency may
713 provide the names and addresses of retirees from that agency to
714 a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to
715 a retiree organization for official business use. Lists of names
716 or addresses of retirees may be exchanged by public agencies,
717 but such lists shall not be provided to, or open for inspection
718 by, the public. Any person may view or copy any individual's
719 retirement records at the Department of Management Services, one
720 record at a time, or may obtain information by a separate
721 written request for a named individual for which information is
722 desired.

723 Section 10. Subsection (1) of section 447.02, Florida
724 Statutes, is amended to read:

725 447.02 Definitions.—The following terms, when used in this

19-00930-25

20251328__

726 chapter, shall have the meanings ascribed to them in this
727 section:

728 (1) The term "labor organization" means any organization of
729 employees or local or subdivision thereof, having within its
730 membership residents of the state, whether incorporated or not,
731 organized for the purpose of dealing with employers concerning
732 hours of employment, rate of pay, working conditions, or
733 grievances of any kind relating to employment and recognized as
734 a unit of bargaining by one or more employers doing business in
735 this state, except that an "employee organization," as defined
736 in s. 447.203 ~~s. 447.203(11)~~, shall be included in this
737 definition at such time as it seeks to register pursuant to s.
738 447.305.

739 Section 11. Subsection (6) of section 447.305, Florida
740 Statutes, is amended to read:

741 447.305 Registration of employee organization.—

742 (6) Notwithstanding the provisions of this chapter relating
743 to collective bargaining, an employee organization certified as
744 a bargaining agent to represent a bargaining unit for which less
745 than 60 percent of the unit employees have submitted membership
746 authorization forms without subsequent revocation and paid dues
747 to the organization during its last registration period must
748 petition the commission pursuant to s. 447.307 ~~s. 447.307(2)~~ and
749 ~~(3)~~ for recertification as the exclusive representative of all
750 employees in the bargaining unit within 30 days after the date
751 on which the employee organization applies for renewal of
752 registration pursuant to subsection (2). The certification of an
753 employee organization that does not comply with this section is
754 revoked.

19-00930-25

20251328__

755 Section 12. Subsection (2) of section 1011.60, Florida
756 Statutes, is amended to read:

757 1011.60 Minimum requirements of the Florida Education
758 Finance Program.—Each district which participates in the state
759 appropriations for the Florida Education Finance Program shall
760 provide evidence of its effort to maintain an adequate school
761 program throughout the district and shall meet at least the
762 following requirements:

763 (2) MINIMUM TERM.—Operate all schools for a term of 180
764 actual teaching days or the equivalent on an hourly basis as
765 specified by rules of the State Board of Education each school
766 year. The State Board of Education may prescribe procedures for
767 altering, and, upon written application, may alter, this
768 requirement during a national, state, or local emergency as it
769 may apply to an individual school or schools in any district or
770 districts if, in the opinion of the board, it is not feasible to
771 make up lost days or hours, and the apportionment may, at the
772 discretion of the Commissioner of Education and if the board
773 determines that the reduction of school days or hours is caused
774 by the existence of a bona fide emergency, be reduced for such
775 district or districts in proportion to the decrease in the
776 length of term in any such school or schools. A strike, as
777 defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school
778 district may not be considered an emergency.

779 Section 13. For the purpose of incorporating the amendment
780 made by this act to section 447.307, Florida Statutes, in a
781 reference thereto, paragraph (b) of subsection (12) of section
782 120.80, Florida Statutes, is reenacted to read:

783 120.80 Exceptions and special requirements; agencies.—

19-00930-25

20251328__

784 (12) PUBLIC EMPLOYEES RELATIONS COMMISSION.—
785 (b) Section 120.60 does not apply to certification of
786 employee organizations pursuant to s. 447.307.
787 Section 14. This act shall take effect July 1, 2025.