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Proposed Committee Substitute by the Committee on Governmental
Oversight and Accountability

1 A bill to be entitled

2 An act relating to the Public Employees Relations
3 Commission; amending s. 110.227, F.S.; conforming
4 final order requirements to ch. 120, F.S.; deleting a
5 provision requiring exceptions to a recommended order
6 to be filed within a specified timeframe; amending s.
7 112.0455, F.S.; revising the timeframe in which an
8 appeal hearing must be conducted; conforming final
9 order requirements to ch. 120, F.S.; amending s.
10 120.80, F.S.; providing applicability; amending s.
11 295.14, F.S.; conforming final order requirements to
12 ch. 120, F.S.; reordering and amending s. 447.203,
13 F.S.; revising and defining terms; amending s.
14 447.205, F.S.; revising the seal of the Public
15 Employees Relations Commission; amending s. 447.207,
16 F.S.; authorizing subpoenas to be served by certified
17 mail, return receipt requested, or by personal
18 service; revising requirements for proof of service;
19 deleting the requirement that the commission adopt
20 rules for the qualifications of persons who may serve
21 as mediators; authorizing the commission, under
22 certain circumstances, to waive the application of
23 part II of ch. 447, F.S., rather than only specified
24 provisions; amending s. 447.301, F.S.; revising
25 requirements for an employee organization membership
26 authorization form; requiring an employee
27 organization, within a specified timeframe, to revoke



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28 the membership of and cease the collection of
29 membership dues from a public employee; providing that
30 a membership authorization form is valid if it meets
31 certain requirements; revising applicability; amending
32 s. 447.303, F.S.; conforming provisions to changes
33 made by the act; amending s. 447.305, F.S.; revising
34 application requirements for employee organization
35 registration and renewal of registration; requiring an
36 employee organization to provide an application for
37 renewal of registration to certain persons within a
38 specified timeframe; requiring a bargaining agent to
39 provide a remedy for incomplete application
40 information to the commission within a specified
41 timeframe; requiring the commission to dismiss an
42 application for renewal of registration under certain
43 circumstances; requiring the commission to notify the
44 bargaining agent when such application information is
45 complete; requiring the bargaining agent to petition
46 for recertification within a specified timeframe
47 thereafter; requiring the commission or one of its
48 designated agents to conduct an investigation if a
49 challenge to an application for renewal of
50 registration is filed; authorizing a designated agent
51 of the commission to conduct an investigation to
52 confirm validity of submitted information; exempting
53 certain employee organizations from a specified
54 requirement; requiring a registration fee for
55 applications for registration and renewal of
56 registration; requiring certain employee organization



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57 accounts to be open for inspection by the commission
58 and certain public employees at a reasonable time and
59 place; providing for the revocation of an employee
60 organization's certification under certain
61 circumstances; providing that decisions issued by the
62 commission in accordance with certain provisions are
63 final agency actions; amending s. 447.307, F.S.;
64 revising requirements for the certification and
65 recertification of an employee organization; creating
66 s. 447.3076, F.S.; providing that a petition to
67 clarify the composition of a bargaining unit may be
68 filed with the commission under certain circumstances;
69 requiring that a copy of the petition be served on
70 certain persons; requiring the public employer to
71 provide a copy of the petition to certain affected
72 employees within a specified timeframe; requiring a
73 petition to be dismissed under certain circumstances;
74 amending s. 447.308, F.S.; revising requirements for
75 the decertification of an employee organization;
76 amending s. 447.309, F.S.; requiring certain
77 agreements to be returned to the bargaining agent,
78 rather than the employee organization; amending s.
79 447.401, F.S.; conforming provisions to changes made
80 by the act; amending s. 447.403, F.S.; specifying
81 requirements for when an impasse occurs; requiring a
82 hearing within a specified timeframe; authorizing the
83 recommended decision of a special magistrate from an
84 impasse hearing to be transmitted by any method of
85 service agreed to by the parties which establishes



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86 proof of delivery; amending s. 447.405, F.S.;
87 conforming provisions to changes made by the act;
88 amending s. 447.4095, F.S.; providing that
89 implementation of appropriations from the Legislature
90 which are specifically directed to be disbursed as
91 salaries for employees of local governments are
92 considered a financial urgency; requiring the chief
93 executive officer or his or her representative to meet
94 with the bargaining agent or its representative within
95 a specified timeframe if the use of such funds
96 requires modification of an agreement; providing
97 meeting and dispute requirements; prohibiting the
98 filing of unfair labor charges during specified time
99 periods; providing applicability; amending s. 447.501,
100 F.S.; requiring a public employer to provide to all
101 registered employee organizations or petitioning
102 employees equal access to the employer's facilities
103 and communication systems for a specified time period;
104 amending s. 447.503, F.S.; authorizing certain public
105 employers, public employees, and employee
106 organizations, or combinations thereof, to file
107 certain charges with the commission; amending s.
108 447.507, F.S.; increasing fines for certain
109 violations; amending s. 447.509, F.S.; prohibiting
110 public employers, their agents or representatives, and
111 any persons acting on their behalf from taking certain
112 actions; authorizing certain actions by public
113 employees under certain circumstances; providing
114 applicability; amending ss. 110.114, 110.205,



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115 112.3187, 121.031, 447.02, 447.609, and 1011.60, F.S.;
116 conforming cross-references and provisions to changes
117 made by the act; providing an effective date.

118

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

120

121 Section 1. Paragraph (d) of subsection (6) of section
122 110.227, Florida Statutes, is amended to read:

123 110.227 Suspensions, dismissals, reductions in pay,
124 demotions, layoffs, transfers, and grievances.—

125 (6) The following procedures shall apply to appeals filed
126 pursuant to subsection (5) with the Public Employees Relations
127 Commission, hereinafter referred to as the commission:

128 (d) A recommended order must ~~shall~~ be issued by the hearing
129 officer within 30 days after ~~following~~ the hearing. ~~Exceptions~~
130 ~~to the recommended order shall be filed within 15 days after the~~
131 ~~recommended order is issued.~~ The final order must be issued
132 ~~shall be filed by the commission in accordance with ss. 120.569~~
133 ~~and 120.57 no later than 45 calendar days after the hearing or~~
134 ~~after the filing of exceptions or oral arguments if granted.~~

135 Section 2. Paragraph (a) of subsection (14) of section
136 112.0455, Florida Statutes, is amended to read:

137 112.0455 Drug-Free Workplace Act.—

138 (14) DISCIPLINE REMEDIES.—

139 (a) An executive branch employee who is disciplined or who
140 is a job applicant for another position and is not hired
141 pursuant to this section, may file an appeal with the Public
142 Employees Relations Commission. Any appeal must be filed within
143 30 calendar days after ~~of~~ receipt by the employee or job



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144 applicant of notice of discipline or refusal to hire. The notice
145 shall inform the employee or job applicant of the right to file
146 an appeal, or if available, the right to file a collective
147 bargaining grievance pursuant to s. 447.401. Such appeals shall
148 be resolved pursuant to the procedures established in ss.
149 447.207(1)-(4), 447.208(2), and 447.503(4) and (5). A hearing on
150 the appeal shall be conducted within 60 ~~30~~ days after ~~of~~ the
151 filing of the appeal, unless an extension is requested by the
152 employee or job applicant and granted by the commission or an
153 arbitrator. The final order must be issued by the commission in
154 accordance with ss. 120.569 and 120.57.

155 Section 3. Paragraph (c) is added to subsection (12) of
156 section 120.80, Florida Statutes, to read:

157 120.80 Exceptions and special requirements; agencies.—

158 (12) PUBLIC EMPLOYEES RELATIONS COMMISSION.—

159 (c) Section 120.60 does not apply to registration of
160 employee organizations under s. 447.305.

161 Section 4. Subsection (1) of section 295.14, Florida
162 Statutes, is amended to read:

163 295.14 Penalties.—

164 (1) When the Public Employees Relations Commission, after a
165 hearing on notice conducted according to rules adopted by the
166 commission, determines that a violation of s. 295.07, s. 295.08,
167 s. 295.085, or s. 295.09(1)(a) or (b) has occurred and sustains
168 the veteran seeking redress, the commission shall order the
169 offending agency, employee, or officer of the state to comply
170 with ~~the provisions of~~ s. 295.07, s. 295.08, s. 295.085, or s.
171 295.09(1)(a) or (b); and, in the event of a violation of s.
172 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b), the



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173 commission may issue an order to compensate the veteran for the
174 loss of any wages and reasonable attorney attorney's fees for
175 actual hours worked, and costs of all work, including
176 litigation, incurred as a result of such violation, which order
177 shall be conclusive on the agency, employee, or officer
178 concerned. The attorney attorney's fees and costs may not exceed
179 \$10,000. The final order must be issued by action of the
180 commission in accordance with ss. 120.569 and 120.57 shall be in
181 ~~writing and shall be served on the parties concerned by~~
182 ~~certified mail with return receipt requested.~~

183 Section 5. Section 447.203, Florida Statutes, is reordered
184 and amended to read:

185 447.203 Definitions.—As used in this part:

186 (6)~~(1)~~ "Commission" means the Public Employees Relations
187 Commission created by s. 447.205.

188 (17)~~(2)~~ "Public employer" or "employer" means the state or
189 any county, municipality, or special district or any subdivision
190 or agency thereof which the commission determines has sufficient
191 legal distinctiveness properly to carry out the functions of a
192 public employer. With respect to all public employees determined
193 by the commission as properly belonging to a statewide
194 bargaining unit composed of State Career Service System
195 employees or Selected Professional Service employees, the
196 Governor is deemed to be the public employer; and the Board of
197 Governors of the State University System, or the board's
198 designee, is deemed to be the public employer with respect to
199 all public employees of each constituent state university. The
200 board of trustees of a community college is deemed to be the
201 public employer with respect to all employees of the community



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202 college. The district school board is deemed to be the public
203 employer with respect to all employees of the school district.
204 The Board of Trustees of the Florida School for the Deaf and the
205 Blind is deemed to be the public employer with respect to the
206 academic and academic administrative personnel of the Florida
207 School for the Deaf and the Blind. The Governor is deemed to be
208 the public employer with respect to all employees in the
209 Correctional Education Program of the Department of Corrections
210 established pursuant to s. 944.801.

211 (16) ~~(3)~~ "Public employee" means any person employed by a
212 public employer except:

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

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

217 (c) Those individuals acting as negotiating representatives
218 for employer authorities.

219 (d) Those persons who are designated by the commission as
220 managerial or confidential employees pursuant to criteria
221 contained herein.

222 (e) Those persons holding positions of employment with the
223 Florida Legislature.

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

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

229 1. Federal license requirement.

230 2. Federal autonomy regarding investigation and



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231 disciplining of appointees.

232 3. Frequent transfers due to harvesting conditions.

233 (h) Those persons employed by the Public Employees
234 Relations Commission.

235 (i) Those persons enrolled as undergraduate students in a
236 state university who perform part-time work for the state
237 university.

238 (12) ~~(4)~~ "Managerial employees" means are those employees
239 who:

240 (a) Perform jobs that are not of a routine, clerical, or
241 ministerial nature and require the exercise of independent
242 judgment in the performance of such jobs and to whom one or more
243 of the following applies:

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

246 2. They may reasonably be required on behalf of the
247 employer to assist in the preparation for the conduct of
248 collective bargaining negotiations.

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

251 4. They have a significant role in personnel
252 administration.

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

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

256 7. They have a significant role in the preparation or
257 administration of budgets for any public agency or institution
258 or subdivision thereof.

259 (b) Serve as police chiefs, fire chiefs, or directors of



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260 public safety of any police, fire, or public safety department.
261 Other police officers, as defined in s. 943.10(1), and
262 firefighters, as defined in s. 633.102, may be determined by the
263 commission to be managerial employees of such departments. In
264 making such determinations, the commission shall consider, in
265 addition to the criteria established in paragraph (a), the
266 paramilitary organizational structure of the department
267 involved.

268

269 However, in determining whether an individual is a managerial
270 employee pursuant to paragraph (a) or paragraph (b), ~~above~~, the
271 commission may consider historic relationships of the employee
272 to the public employer and to coemployees.

273 (7) (5) "Confidential employees" ~~means~~ are persons who act
274 in a confidential capacity to assist or aid managerial employees
275 as defined in subsection (12) (4).

276 (21) (6) "Strike" means the concerted failure of employees
277 to report for duty; the concerted absence of employees from
278 their positions; the concerted stoppage of work by employees;
279 the concerted submission of resignations by employees; the
280 concerted abstinence in whole or in part by any group of
281 employees from the full and faithful performance of the duties
282 of employment with a public employer for the purpose of
283 inducing, influencing, condoning, or coercing a change in the
284 terms and conditions of employment or the rights, privileges, or
285 obligations of public employment, or participating in a
286 deliberate and concerted course of conduct which adversely
287 affects the services of the public employer; the concerted
288 failure of employees to report for work after the expiration of



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289 a collective bargaining agreement; and picketing in furtherance
290 of a work stoppage. The term includes ~~"strike"~~ shall also mean
291 any overt preparation, including, but not limited to, the
292 establishment of strike funds with regard to the ~~above~~ listed
293 activities listed in this subsection.

294 (22)~~(7)~~ "Strike funds" means ~~are~~ any appropriations by an
295 employee organization which are established to directly or
296 indirectly aid any employee or employee organization to
297 participate in a strike in the state.

298 (2)~~(8)~~ "Bargaining unit" means either that unit determined
299 by the commission, that unit determined through local
300 regulations adopted ~~promulgated~~ pursuant to s. 447.603, or that
301 unit determined by the public employer and the public employee
302 organization and approved by the commission to be appropriate
303 for the purposes of collective bargaining. However, no
304 bargaining unit shall be defined as appropriate which includes
305 employees of two employers that are not departments or divisions
306 of the state, a county, a municipality, or other political
307 entity.

308 (3)~~(9)~~ "Chief executive officer" for the state means ~~shall~~
309 ~~mean~~ the Governor and for other public employers means ~~shall~~
310 ~~mean~~ the person, whether elected or appointed, who is
311 responsible to the legislative body of the public employer for
312 the administration of the governmental affairs of the public
313 employer.

314 (11)~~(10)~~ "Legislative body" means the State Legislature,
315 the board of county commissioners, the district school board,
316 the governing body of a municipality, or the governing body of
317 an instrumentality or unit of government having authority to



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318 appropriate funds and establish policy governing the terms and
319 conditions of employment and which, as the case may be, is the
320 appropriate legislative body for the bargaining unit. For
321 purposes of s. 447.403, the Board of Governors of the State
322 University System, or the board's designee, shall be deemed to
323 be the legislative body with respect to all employees of each
324 constituent state university. For purposes of s. 447.403, the
325 board of trustees of a community college shall be deemed to be
326 the legislative body with respect to all employees of the
327 community college.

328 (8)-(11) "Employee organization" or "organization" means any
329 labor organization, union, association, fraternal order,
330 occupational or professional society, or group, however
331 organized or constituted, which represents, or seeks to
332 represent, any public employee or group of public employees
333 concerning any matters relating to their employment relationship
334 with a public employer.

335 (9) "Employee organization activities" means activities
336 undertaken at the direction of, on behalf of, or to advance the
337 purposes of an employee organization or any parent organization
338 or affiliate of the employee organization by doing any of the
339 following:

340 (a) Supporting or opposing a candidate for federal, state,
341 or local public office.

342 (b) Influencing the passage or defeat of any federal or
343 state legislation or regulation, local ordinance or resolution,
344 or ballot measure.

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



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347 organization or affiliate of the employee organization.

348 (d) Seeking certification as a bargaining agent.

349 (e) Participating in the administration, business, or
350 internal governance of an employee organization or any parent
351 organization or affiliate of the employee organization.

352 (f) Preparing, conducting, or attending employee
353 organization events, conferences, conventions, meetings, or
354 trainings, unless such training is directly related to the
355 performance of a public employee's job duties.

356 (g) Distributing communications of an employee organization
357 or any parent organization or affiliate of the employee
358 organization.

359 (h) Representing or speaking on behalf of an employee
360 organization or any parent organization or affiliate of the
361 employee organization in any setting, venue, or procedure in
362 which the public employer is not a participant.

363 (i) Preparing, filing, or pursuing unfair labor practice
364 charges or grievances.

365 (j) Representing public employees in investigatory
366 interviews; disciplinary proceedings or appeals, including
367 termination; or other administrative or legal proceedings.

368 (k) Engaging in collective bargaining and any related
369 mediation, factfinding, or arbitration.

370 (l) Administering a collective bargaining agreement.

371 (m) Participating in labor-management committees.

372 (1)-(12) "Bargaining agent" means the employee organization
373 that which has been certified by the commission as representing
374 the employees in the bargaining unit, as provided in s. 447.307,
375 or its representative.



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376 (13) "Membership dues" means any amount a member is
377 required to pay in exchange for membership in an employee
378 organization, including, but not limited to, employee
379 organization dues; uniform assessments; or fees, including
380 initiation fees.

381 (15) (13) "Professional employee" means:

382 (a) Any employee engaged in work in any two or more of the
383 following categories:

384 1. Work predominantly intellectual and varied in character
385 as opposed to routine mental, manual, mechanical, or physical
386 work.~~;~~

387 2. Work involving the consistent exercise of discretion and
388 judgment in its performance.~~;~~

389 3. Work of such a character that the output produced or the
390 result accomplished cannot be standardized in relation to a
391 given period of time.~~;~~ and

392 4. Work requiring advanced knowledge in a field of science
393 or learning customarily acquired by a prolonged course of
394 specialized intellectual instruction and study in an institution
395 of higher learning or a hospital, as distinguished from a
396 general academic education, an apprenticeship, or training in
397 the performance of routine mental or physical processes.

398 (b) Any employee who:

399 1. Has completed the course of specialized intellectual
400 instruction and study described in subparagraph (a) 4. 4. of
401 ~~paragraph (a); and~~

402 2. Is performing related work under supervision of a
403 professional person to qualify to become a professional employee
404 as defined in paragraph (a).



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405 (5)-(14) "Collective bargaining" means the performance of
406 the mutual obligations of the public employer and the bargaining
407 agent of the employee organization to meet at reasonable times,
408 to negotiate in good faith, and to execute a written contract
409 with respect to agreements reached concerning the terms and
410 conditions of employment, except that neither party shall be
411 compelled to agree to a proposal or be required to make a
412 concession unless otherwise provided in this part.

413 (14)-(15) "Membership dues deduction" means the practice by
414 ~~of~~ a public employer of deducting membership dues ~~and uniform~~
415 ~~assessments~~ from the salary or wages of a public employee and.
416 ~~Such term also means the practice of a public employer of~~
417 transmitting the sums so deducted to an ~~such~~ employee
418 organization on behalf of the public employee.

419 (4)-(16) "Civil service" means any career, civil, or merit
420 system used by any public employer.

421 (10)-(17) "Good faith bargaining" means shall mean, but is
422 ~~not be limited to,~~ the willingness of both parties to meet at
423 reasonable times and places, as mutually agreed upon, in order
424 to discuss issues that which are proper subjects of bargaining,
425 with the intent of reaching a common accord. The term includes
426 ~~It shall include~~ an obligation for both parties to participate
427 actively in the negotiations with an open mind and a sincere
428 desire, as well as making a sincere effort, to resolve
429 differences and come to an agreement. In determining whether a
430 party failed to bargain in good faith, the commission shall
431 consider the total conduct of the parties during negotiations as
432 well as the specific incidents of alleged bad faith. Incidents
433 indicative of bad faith shall include, but not be limited to,



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434 the following occurrences:

435 (a) Failure to meet at reasonable times and places with
436 representatives of the other party for the purpose of
437 negotiations.

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

440 (c) Failure to discuss proper subjects of bargaining
441 ~~bargainable issues~~.

442 (d) Refusing, upon reasonable written request, to provide
443 public information, excluding work products as defined in s.

444 447.605.

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

447 (f) Negotiating directly with employees rather than with
448 their ~~certified~~ bargaining agent.

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

450 (18) "Public safety unit" means a bargaining unit in which
451 the majority of the public employees are employed as a law
452 enforcement officer, correctional officer, or correctional
453 probation officer, as those terms are defined in s. 943.10(1),
454 (2), or (3), respectively; a firefighter as defined in s.
455 633.102(9); a 911 public safety telecommunicator as defined in
456 s. 401.465(1); or an emergency medical technician or a
457 paramedic, as those terms are defined in s. 401.23.

458 (19) "Representational employee organization activities"
459 means those activities specified in paragraphs (9)(i)-(m).

460 (20) "Showing of interest" means written statements signed
461 and dated by public employees in a proposed or existing
462 bargaining unit indicating the desire of the public employees



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463 either to be represented by the employee organization for
464 purposes of collective bargaining or to no longer be represented
465 by the bargaining agent for purposes of collective bargaining.

466 (23) ~~(18)~~ “Student representative” means the representative
467 selected by each community college or university student
468 government association. Each representative may be present at
469 all negotiating sessions that take place between the appropriate
470 public employer and a ~~an~~ exclusive bargaining agent. The
471 representative must be enrolled as a student with at least 8
472 credit hours in the respective community college or university
473 during his or her term as student representative.

474 Section 6. Subsection (8) of section 447.205, Florida
475 Statutes, is amended to read:

476 447.205 Public Employees Relations Commission.—

477 (8) The commission shall have a seal for authentication of
478 its orders and proceedings, upon which shall be inscribed the
479 words “State of Florida-Public Employees Relations Commission”
480 ~~“State of Florida Employees Relations Commission”~~ and which shall
481 be judicially noticed.

482 Section 7. Subsections (4), (5), (6), and (12) of section
483 447.207, Florida Statutes, are amended to read:

484 447.207 Commission; powers and duties.—

485 (4) Any subpoena, ~~notice of hearing, or other process or~~
486 ~~notice of the commission~~ issued under ~~the provisions of~~ this
487 part must either ~~shall~~ be served ~~personally~~ ~~or~~ by certified
488 mail, return receipt requested, or be served personally by any
489 person specified by law to serve process or by any person who is
490 not a party and who is 18 years of age or older. When certified
491 mail is used, a returned post office receipt constitutes proof



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492 of service. When personal service is used, if the subpoena is
493 not served by a person specified by law to serve process, an
494 affidavit of the person making service constitutes proof of
495 service. A return made and verified by the individual making
496 such service and setting forth the manner of such service is
497 proof of service, and a returned post office receipt, when
498 certified mail is used, is proof of service. All process of any
499 court to which application may be made under the provisions of
500 this part shall be served in the county wherein the persons
501 required to be served reside or may be found.

502 (5) The commission shall adopt rules as to the
503 qualifications of persons who may serve as ~~mediators~~ and special
504 magistrates and shall maintain a list ~~lists~~ of such qualified
505 persons who are not employees of the commission. The commission
506 may initiate dispute resolution procedures by special
507 magistrates, pursuant to ~~the provisions of~~ this part.

508 (6) Pursuant to its established procedures, the commission
509 shall resolve questions and controversies concerning claims for
510 recognition as the bargaining agent for a bargaining unit,
511 determine or approve units appropriate for purposes of
512 collective bargaining, expeditiously process charges of unfair
513 labor practices and violations of s. 447.505 by public
514 employees, and resolve such other questions and controversies as
515 it may be authorized herein to undertake. The petitioner,
516 charging party, respondent, and any intervenors shall be the
517 adversary parties before the commission in any adjudicatory
518 proceeding conducted pursuant to this part. Any commission
519 statement of general applicability that implements, interprets,
520 or prescribes law or policy, made in the course of adjudicating



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521 a case pursuant to s. 447.307 or s. 447.503 does shall not
522 constitute a rule within the meaning of s. 120.52.

523 (12) Upon a petition by a public employer after it has been
524 notified by the Department of Labor that the public employer's
525 protective arrangement covering mass transit employees does not
526 meet the requirements of 49 U.S.C. s. 5333(b) and would
527 jeopardize the public employer's continued eligibility to
528 receive Federal Transit Administration funding, the commission
529 may waive the application of this part, but only to the extent
530 necessary for the public employer to comply with ~~the~~
531 ~~requirements of 49 U.S.C. s. 5333(b), any of the following for~~
532 ~~an employee organization that has been certified as a bargaining~~
533 ~~agent to represent mass transit employees:~~

534 ~~(a) The prohibition on dues and assessment deductions~~
535 ~~provided in s. 447.303(1) as it applies to a mass transit~~
536 ~~employee who has provided a copy of his or her membership~~
537 ~~authorization form to the employer as part of the authorization~~
538 ~~of dues deduction under a waiver.~~

539 ~~(b) The requirement to petition the commission for~~
540 ~~recertification.~~

541 ~~(c) The revocation of certification provided in s.~~
542 ~~447.305(6) and (7).~~

543 Section 8. Paragraph (b) of subsection (1) and subsection
544 (2) of section 447.301, Florida Statutes, are amended to read:

545 447.301 Public employees' rights; organization and
546 representation.—

547 (1)

548 (b)1. A public employee who desires to be a member of an
549 employee organization must sign and date a membership



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550 authorization form, as prescribed by the commission, and submit
551 the executed form to the bargaining agent.

552 2. The membership authorization form must identify the name
553 of the bargaining agent; the name of the employee; the class
554 code and class title of the employee; the name of the public
555 employer and employing agency, if applicable; the amount of the
556 membership initiation fee and of the monthly dues which the
557 public employee member must pay; and the names name and amounts
558 ~~total amount of salary, allowances, and other direct or indirect~~
559 ~~disbursements, including reimbursements, paid to each of the~~
560 ~~five highest compensated officers and employees of the employee~~
561 ~~organization disclosed under s. 447.305(2) (d) for the officers~~
562 ~~and employees receiving the five highest total dollar amounts.~~

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

565
566 As a public employee in the State of Florida, is a right to work
567 state, membership or nonmembership non-membership in a labor
568 union is not required as a condition of employment, and Union
569 membership and payment of membership union dues and assessments
570 are voluntary. A public employee's Each person has the right to
571 join and pay membership dues to a labor union or to refrain from
572 joining and paying membership dues to a labor union is protected
573 by both Florida's right-to-work law and the First Amendment of
574 the United States Constitution. A public employer may not
575 discriminate against a public No employee may be discriminated
576 against in any manner for joining and financially supporting, a
577 labor union or for refusing to join and or financially support,
578 a labor union.



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579
580 4. A public employee may revoke membership in the employee
581 organization at any time ~~of the year~~. Within 30 days after Upon
582 receipt of the public employee's written revocation of
583 membership, the employee organization must revoke the a public
584 employee's membership and cease collection of membership dues
585 for such public employee. The employee organization may not
586 limit a public ~~a~~ employee's right to revoke membership to
587 certain dates. If a public employee must complete a form to
588 revoke membership in the employee organization, the form may not
589 require a reason for the public employee's decision to revoke
590 his or her membership.

591 5. An employee organization must retain for inspection by
592 the commission such membership authorization forms and any
593 revocations. A membership authorization form is valid if it
594 meets the requirements in law at the time it was signed by the
595 employee and if the employee's membership has not been
596 subsequently revoked.

597 6. This paragraph does not apply to public employees in
598 public safety units members of a bargaining unit the majority of
599 whose employees eligible for representation are employed as law
600 enforcement officers, correctional officers, or correctional
601 probation officers as those terms are defined in s. 943.10(1),
602 (2), or (3), respectively; firefighters as defined in s.
603 633.102; 911 public safety telecommunicators as defined in s.
604 401.465(1)(a); or emergency medical technicians or paramedics as
605 defined in s. 401.23.

606 7. The commission may adopt rules to implement this
607 paragraph.



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608 (2) Public employees ~~shall~~ have the right to be represented
609 by any employee organization of their own choosing and to
610 negotiate collectively, through a ~~certified~~ bargaining agent,
611 with their public employer in the determination of the terms and
612 conditions of their employment. Public employees ~~shall~~ have the
613 right to be represented in the determination of grievances on
614 all terms and conditions of their employment. Public employees
615 ~~shall~~ have the right to refrain from exercising the right to be
616 represented.

617 Section 9. Subsections (1) and (2) of section 447.303,
618 Florida Statutes, are amended to read:

619 447.303 Membership dues; deduction and collection.—

620 (1) Except as authorized in subsection (2) or subject to a
621 waiver of the prohibition on membership dues deduction granted
622 pursuant to s. 447.207(12), a public employer may not engage in
623 membership dues deduction on behalf of s. 447.207(12)(a), an
624 employee organization ~~that has been certified as a bargaining~~
625 ~~agent may not have its dues and uniform assessments deducted and~~
626 ~~collected by the employer from the salaries of those employees~~
627 ~~in the unit~~. A public employee may pay membership dues and
628 uniform assessments directly to the employee organization, any
629 parent organization of the employee organization, or any
630 affiliate of either the employee organization or the parent
631 organization that has been certified as the bargaining agent.

632 (2) (a) Upon the written authorization of a public employee
633 in a public safety unit, the public employer must engage in
634 membership dues deduction for such public employee. A public
635 employee may revoke his or her authorization for membership dues
636 deduction upon providing 30 days' written notice to the public



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637 ~~employer and bargaining agent An employee organization that has~~
638 ~~been certified as a bargaining agent to represent a bargaining~~
639 ~~unit the majority of whose employees eligible for representation~~
640 ~~are employed as law enforcement officers, correctional officers,~~
641 ~~or correctional probation officers as those terms are defined in~~
642 ~~s. 943.10(1), (2), or (3), respectively; firefighters as defined~~
643 ~~in s. 633.102; 911 public safety telecommunicators as defined in~~
644 ~~s. 401.465(1)(a); or emergency medical technicians or paramedics~~
645 ~~as defined in s. 401.23 has the right to have its dues and~~
646 ~~uniform assessments for that bargaining unit deducted and~~
647 ~~collected by the employer from the salaries of those employees~~
648 ~~who authorize the deduction and collection of said dues and~~
649 ~~uniform assessments. However, such authorization is revocable at~~
650 ~~the employee's request upon 30 days' written notice to the~~
651 ~~employer and employee organization. Said deductions shall~~
652 ~~commence upon the bargaining agent's written request to the~~
653 ~~employer.~~

654 (b) Reasonable costs to the public employer of engaging in
655 membership dues ~~said~~ deductions is a proper subject of
656 collective bargaining.

657 (c) The requirement to engage in membership dues deductions
658 ~~such right to deduction, unless revoked under s. 447.507, is in~~
659 ~~force as for so long as the employee organization remains the~~
660 ~~certified bargaining agent remains certified to represent for~~
661 ~~the public employees in the bargaining unit.~~

662 Section 10. Section 447.305, Florida Statutes, is amended
663 to read:

664 447.305 Registration of employee organizations
665 ~~organization.~~—



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666 (1) Every employee organization seeking to become a
667 certified bargaining agent for public employees shall register
668 with the commission before ~~pursuant to the procedures set forth~~
669 ~~in s. 120.60 prior to requesting recognition by a public~~
670 ~~employer for purposes of collective bargaining and prior to~~
671 ~~submitting a certification, recertification, or unit~~
672 ~~clarification petition to the commission requesting~~
673 ~~certification as an exclusive bargaining agent. Further, If an~~
674 ~~such employee organization is not registered, it may not~~
675 ~~participate in a certification, recertification, or unit~~
676 ~~clarification representation hearing; or participate in a~~
677 ~~certification or recertification representation election; or be~~
678 certified as a ~~an~~ exclusive bargaining agent. The application
679 for registration required by this section must ~~shall~~ be under
680 oath and in such form as the commission may prescribe, and must
681 ~~shall~~ include all of the following:

682 (a) The name and address of the organization and ~~of~~ any
683 parent organization or affiliate of the employee organization
684 ~~with which it is affiliated~~.

685 (b) The names and addresses of the principal officers and
686 all representatives of the organization.

687 (c) The amount ~~of the initiation fee and the amount~~ and
688 collection frequency of the membership dues ~~and uniform~~
689 ~~assessments~~ that a member of the organization must pay.

690 (d) The current annual financial statement of the
691 organization, prepared by an independent certified public
692 accountant licensed under chapter 473.

693 (e) The name of its business agent, if any; if different
694 from the business agent, the name of its local agent for service



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695 of process; and the addresses where such person or persons can
696 be reached.

697 (f) A pledge, in a form prescribed by the commission, that
698 the employee organization will conform to the laws of this ~~the~~
699 state and that it will accept members without regard to age,
700 race, sex, religion, or national origin.

701 (g) A copy of the current constitution and bylaws of the
702 employee organization.

703 (h) A copy of the current constitution and bylaws of the
704 state and national groups with which the employee organization
705 is affiliated or associated. In lieu of this provision, and upon
706 adoption of a rule by the commission, a state or national
707 affiliate or parent organization of any registering employee
708 ~~labor~~ organization may annually submit a copy of its current
709 constitution and bylaws.

710 (2) A registration granted to an employee organization
711 pursuant to this section runs for 1 year after ~~from~~ the date of
712 issuance. A registration must be renewed annually by filing an
713 application for renewal under oath with the commission, which
714 application must reflect any changes in the information provided
715 to the commission in conjunction with the employee
716 organization's preceding application for registration or
717 previous renewal, whichever is applicable. Each application for
718 renewal of registration must include a current annual financial
719 statement, prepared by an independent certified public
720 accountant licensed under chapter 473 and signed by the employee
721 organization's president and treasurer or corresponding
722 principal officers, containing the following information in such
723 detail as may be necessary to accurately ~~to~~ disclose its



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724 financial condition and operations for its preceding fiscal year
725 and in all of the following ~~such~~ categories as prescribed by the
726 commission ~~may prescribe~~:

727 (a) Assets and liabilities at the beginning and end of the
728 fiscal year.~~;~~

729 (b) Receipts of any kind and the sources thereof.~~;~~

730 (c) Disbursements by category.~~;~~

731 (d) Salary, wages, fringe benefits, allowances, and other
732 direct or indirect disbursements, including reimbursed expenses,
733 paid or accruing to each of its officers ~~officer~~ and also to
734 each of its employees ~~employee~~ who, during such fiscal year,
735 received more than \$10,000 in the aggregate from such employee
736 organization and any parent organization of the other ~~employee~~
737 organization or any affiliate of either the employee
738 organization or the parent organization. This paragraph requires
739 reporting of any reimbursements paid by the employee
740 organization to a public employer for moneys paid by the public
741 employer to the employee organization's officers or employees.
742 ~~affiliated with it or with which it is affiliated or which is~~
743 ~~affiliated with the same national or international employee~~
744 ~~organization;~~

745 (e) Direct and indirect loans made to any of its officers
746 ~~officer, employees employee, or members member~~ which aggregated
747 more than \$250 during the fiscal year, together with a statement
748 of the purpose, security, if any, and arrangements for
749 repayment.~~;~~ and

750 (f) Direct and indirect loans to any business enterprise,
751 together with a statement of the purpose, security, if any, and
752 arrangements for repayment.



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753 (g) The amount of membership dues retained by or
754 distributed to the employee organization, any parent
755 organization of the employee organization, and any affiliate of
756 either the employee organization or the parent organization.

757 (3) As part of its application for renewal of registration,
758 ~~a In addition to subsection (2), an employee organization that~~
759 ~~has been certified as the bargaining agent for public employees~~
760 ~~must include all of for each such certified bargaining unit the~~
761 ~~following information and documentation as of the 30th day~~
762 ~~immediately preceding the date upon which its current~~
763 ~~registration is scheduled to end for any renewal of registration~~
764 ~~on or after October 1, 2023:~~

765 (a) For each bargaining unit for which the bargaining agent
766 is certified, the certification number assigned to the
767 bargaining unit by the commission.

768 (b) (a) For each certification, the number of public
769 ~~employees in the bargaining unit who are eligible for~~
770 ~~representation by the employee organization.~~

771 (c) For each certification, the number of public employees
772 in the bargaining unit who paid full membership dues sufficient
773 to maintain membership in good standing in the bargaining agent.

774 (d) (b) For each certification, the number of public
775 ~~employees in the bargaining unit who have submitted signed~~
776 ~~membership authorization forms without a subsequent revocation~~
777 ~~of such membership.~~

778 (e) The number of employees in the bargaining unit who paid
779 ~~dues to the employee organization.~~

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



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782 (e) An agreed-upon procedures report performed
783 ~~Documentation provided by an independent certified public~~
784 ~~accountant retained by the employee organization which verifies~~
785 ~~to assist in determining the accuracy of~~ the information
786 ~~provided in paragraphs (b), (c), and (d) ~~(a)-(d)~~. The agreed-~~
787 ~~upon procedures must be conducted in accordance with attestation~~
788 ~~standards established by the American Institute of Certified~~
789 ~~Public Accountants.~~

790 (4) Within 30 days after filing an application for renewal
791 ~~of registration with the commission, the employee organization~~
792 ~~must provide a copy of its application for renewal of~~
793 ~~registration relating to a public employer's employees to the~~
794 ~~public employer and public employees of each bargaining unit for~~
795 ~~which the employee organization is the bargaining agent on the~~
796 ~~same day the application is submitted to the commission.~~

797 (5) ~~An application for renewal of registration is~~
798 ~~incomplete and is not eligible for consideration by The~~
799 ~~commission must notify the bargaining agent if it does not~~
800 ~~include all of the information and documentation required in~~
801 ~~subsection (3) is incomplete. The bargaining agent must provide~~
802 ~~the missing information to the commission within 30 days after~~
803 ~~such notification. If the bargaining agent fails to provide the~~
804 ~~missing information within 30 days after notification, the~~
805 ~~commission must dismiss the application The commission shall~~
806 ~~notify the employee organization if the application is~~
807 ~~incomplete. An incomplete application must be dismissed if the~~
808 ~~required information and documentation are not provided within~~
809 ~~10 days after the employee organization receives such notice.~~

810 (6) The commission must notify the bargaining agent when



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811 the information required in subsection (3) is complete. Within
812 30 days after such notification, the bargaining agent must
813 petition for recertification pursuant to s. 447.307 for each of
814 its bargaining units ~~Notwithstanding the provisions of this~~
815 ~~chapter relating to collective bargaining, an employee~~
816 ~~organization certified as a bargaining agent to represent a~~
817 ~~bargaining unit for which less than 60 percent of the public~~
818 ~~unit employees in the bargaining unit have submitted membership~~
819 authorization forms without subsequent revocation and paid
820 membership dues to the organization, as reported under
821 subsection (3) during its last registration period must petition

822 the commission pursuant to s. 447.307(2) and (3) for
823 recertification as the exclusive representative of all employees
824 in the bargaining unit within 30 days after the date on which
825 the employee organization applies for renewal of registration
826 pursuant to subsection (2). The certification of an employee
827 organization that does not comply with this section is revoked.

828 (7) If the public employer or a public employee of a
829 bargaining unit represented by a bargaining agent believes that
830 the bargaining agent's employee may challenge an employee
831 organization's application for renewal of registration is
832 materially inaccurate, if the public employer or public
833 bargaining unit employee may challenge believes that the
834 application as materially is inaccurate during the pendency of
835 the application or, if the registration renewal has been
836 granted, before the date upon which the bargaining agent's
837 current registration is scheduled to end. If a challenge is
838 filed, the commission or one of its designated agents must
839 conduct an investigation pursuant to subsection (8) shall review



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840 the application to determine its accuracy and compliance with
841 this section. If the commission finds that the application is
842 inaccurate or does not comply with this section, the commission
843 shall revoke the registration and certification of the employee
844 organization.

845 (8) The commission or one of its designated agents may
846 conduct an investigation to confirm the validity of any
847 information submitted pursuant to this section. The commission
848 may revoke or deny an employee organization's registration or
849 certification if it finds that the employee organization:

850 (a) Failed to cooperate with the investigation conducted
851 pursuant to this subsection, including refusal to permit the
852 commission or one of its designated agents to inspect membership
853 authorization forms or revocations pursuant to s.

854 447.301(1)(b)5.; or

855 (b) Intentionally misrepresented the information it
856 submitted pursuant to this section.

857
858 ~~A decision issued by the commission pursuant to this subsection~~
859 ~~is a final agency action that is reviewable pursuant to s.~~

860 447.504.

861 (9) An employee organization is exempt from the
862 requirements of subsections (3)-(8) and (12) for each public
safety unit it represents only with respect to the circumstances
of each bargaining unit the majority of whose employees eligible
for representation are employed as law enforcement officers,
correctional officers, or correctional probation officers as
those terms are defined in s. 943.10(1), (2), or (3),
respectively; firefighters as defined in s. 633.102; 911 public



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869 ~~safety telecommunicators as defined in s. 401.465(1)(a); or~~
870 ~~emergency medical technicians or paramedics as defined in s.~~
871 ~~401.23.~~

872 (10) A registration fee must ~~shall~~ accompany each
873 application for registration or renewal of registration filed
874 with the commission. The registration fee ~~may~~ ~~amount charged for~~
875 ~~an application for registration or renewal of registration~~ shall
876 not exceed \$15. All such money collected by the commission shall
877 be deposited in the General Revenue Fund.

878 (11) Every employee organization shall keep accurate
879 accounts of its income and expenses, which accounts must ~~shall~~
880 be open for inspection at a ~~all~~ reasonable time and place ~~times~~
881 by ~~any member of the organization or by~~ the commission or ~~a~~
882 public employee in a bargaining unit for which the employee
883 organization is the bargaining agent. ~~In addition, each employee~~
884 ~~organization that has been certified as a bargaining agent must~~
885 ~~provide to its members an annual financial report prepared by an~~
886 ~~independent certified public accountant licensed under chapter~~
887 ~~473 that includes a detailed breakdown of revenues and~~
888 ~~expenditures in such categories as the commission may prescribe,~~
889 ~~and an accounting of membership dues and assessments. The~~
890 ~~employee organization must notify its members annually of all~~
891 ~~costs of membership.~~

892 (12) The certification of an employee organization that
893 does not comply with this section is revoked. An employee
894 organization that has its certification revoked under this
895 subsection may not file a petition for certification under s.
896 447.307 which covers any of the public employees in the
897 bargaining unit described in the revoked certification for at



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898 least 12 months after the date the certification was revoked.

899 (13) A decision issued by the commission under this section
900 is a final agency action that is reviewable pursuant to s.
901 447.504.

902 Section 11. Section 447.307, Florida Statutes, is amended
903 to read:

904 447.307 Certification and recertification of employee
905 organizations organization.—

906 (1) (a) An Any employee organization seeking certification
907 or recertification as a bargaining agent must file a petition
908 with the commission accompanied by a showing of interest from at
909 least 30 percent of the public employees in the proposed or
910 existing bargaining unit. The showing of interest statements
911 must be signed and dated by the public employees not more than
912 12 months before the filing of which is designated or selected
913 by a majority of public employees in an appropriate unit as
914 their representative for purposes of collective bargaining shall
915 request recognition by the public employer. The public employer
916 shall, if satisfied as to the majority status of the employee
917 organization and the appropriateness of the proposed unit,
918 recognize the employee organization as the collective bargaining
919 representative of employees in the designated unit. Upon
920 recognition by a public employer, the employee organization
921 shall immediately petition the commission for certification. The
922 commission shall review only the appropriateness of the unit
923 proposed by the employee organization. If the unit is
924 appropriate according to the criteria used in this part, the
925 commission shall immediately certify the employee organization
926 as the exclusive representative of all employees in the unit. If



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927 the unit is inappropriate according to the criteria used in this
928 part, the commission may dismiss the petition.

929 (b) Whenever a public employer recognizes an employee
930 organization on the basis of majority status and on the basis of
931 appropriateness in accordance with subparagraph (4)(f)5., the
932 commission shall, in the absence of inclusion of a prohibited
933 category of employees or violation of s. 447.501, certify the
934 proposed unit.

935 (b) (2) A If the public employer refuses to recognize the
936 employee organization, the employee organization may file a
937 petition with the commission for certification as the bargaining
938 agent for a proposed bargaining unit. The petition shall be
939 accompanied by dated statements signed by at least 30 percent of
940 the employees in the proposed unit, indicating that such
941 employees desire to be represented for purposes of collective
942 bargaining by the petitioning employee organization. Once a
943 petition for certification has been filed by an employee
944 organization, any registered employee organization desiring
945 placement on the ballot in any certification or recertification
946 election to be conducted pursuant to this section may be
947 permitted by the commission to intervene in the proceeding upon
948 a motion accompanied by a showing of interest from dated
949 statements signed by at least 10 percent of the public employees
950 in the proposed or existing bargaining unit, indicating that
951 such employees desire to be represented for the purposes of
952 collective bargaining by the moving employee organization. The
953 showing of interest petitions and dated statements must be
954 signed and dated by the public employees not more than 12 months
955 before the filing of the petition.



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956 (c) The showing of interest is ~~are~~ confidential and exempt
957 from ~~the provisions of~~ s. 119.07(1), except that any public
958 employee, public employer, or employee organization having
959 sufficient reason to believe that the showing of interest was
960 ~~any of the employee signatures were~~ obtained by collusion,
961 coercion, intimidation, or misrepresentation or is ~~are~~ otherwise
962 invalid shall be given a reasonable opportunity to verify and
963 challenge the showing of interest signatures appearing on the
964 petition.

965 (d) Notwithstanding paragraph (b), if any employees in the
966 proposed bargaining unit are represented by a bargaining agent
967 other than the petitioning employee organization, such
968 bargaining agent will be automatically added as a party to the
969 case and may appear on the ballot without being required to file
970 a motion to intervene or a showing of interest.

971 (2) (a) A certification petition may not be filed regarding
972 any proposed or existing bargaining unit within 12 months after
973 the date the commission issues an order that verifies the
974 results of a certification, recertification, or decertification
975 election covering any of the public employees in the proposed or
976 existing bargaining unit.

977 (b) If a valid collective bargaining agreement covering any
978 of the public employees in a proposed or existing bargaining
979 unit is in effect, a certification petition may only be filed
980 with the commission at least 90 but not more than 150 days
981 immediately preceding the expiration date of the collective
982 bargaining agreement, or at any time subsequent to such
983 agreement's expiration date but before the effective date of a
984 new collective bargaining agreement. The effective date of a



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985 collective bargaining agreement is the date of ratification of
986 such agreement by both parties if such agreement becomes
987 effective immediately or retroactively, or the collective
988 bargaining agreement's actual effective date if such agreement
989 becomes effective after its ratification date.

990 (3) (a) The commission or one of its designated agents shall
991 investigate a certification or recertification ~~the~~ petition to
992 determine its sufficiency; if it has reasonable cause to believe
993 ~~that the petition is sufficient, the commission shall provide~~
994 ~~for an appropriate hearing upon due notice.~~ Such a hearing may
995 be conducted by an agent of the commission. If the commission
996 finds that the petition is to be insufficient, the commission
997 must it may dismiss the petition. If the commission finds upon
998 the record of the hearing that the petition is sufficient, the
999 commission must it shall immediately:

1000 (a) 1. Define the proposed or existing bargaining unit and
1001 determine which public employees are shall be qualified and
1002 entitled to vote at any election held by the commission. Upon
1003 providing due notice, the commission may provide for a hearing.

1004 (b) 2. Identify the public employer or employers for
1005 purposes of collective bargaining ~~with the bargaining agent.~~

1006 (c) 3. Order an election by secret ballot, the cost of said
1007 election and any required runoff election to be borne equally by
1008 the parties, except as the commission may provide by rule. The
1009 commission's order assessing costs of an election may be
1010 enforced pursuant to ~~the provisions of~~ this part.

1011 (4) (a) Except as provided in paragraph (b), elections are
1012 determined as follows for all certification or recertification
1013 petitions filed on or after July 1, 2026:



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1014 1.~~(b)~~ If When an employee organization is selected by a
1015 majority vote of the public employees who are in the bargaining
1016 unit as of the date set by the commission voting in an election,
1017 the commission shall certify or recertify the employee
1018 organization as the exclusive collective bargaining agent for
1019 the public representative of all employees in the unit.

1020 2. A runoff election shall be held according to rules
1021 adopted by the commission if, in the election conducted under
1022 subparagraph 1., there was more than one employee organization
1023 on the ballot, a majority of the public employees who are in the
1024 bargaining unit as of the date set by the commission voted in
1025 the election, and none of the choices on the ballot received a
1026 majority vote of the public employees who are in the bargaining
1027 unit as of the date set by the commission.

1028 (b) Certification elections involving public safety units
1029 are determined as follows:

1030 1. If an employee organization is selected by a majority
1031 vote of the public employees voting in the election, the
1032 commission shall certify the employee organization as the
1033 bargaining agent for the public employees in the bargaining
1034 unit.

1035 2. A runoff election shall be held according to rules
1036 adopted by the commission if, in the election conducted under
1037 subparagraph 1., there was more than one employee organization
1038 on the ballot and none of the choices on the ballot received a
1039 majority vote of the public employees voting in the election.

1040 (c) Certification, recertification, or revocation under
1041 this section is effective upon the issuance of a the final order
1042 by the commission or, if the final order is appealed, at the



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1043 time the appeal is exhausted or any stay is vacated by the
1044 commission or a the court.

1045 ~~(e) In any election in which none of the choices on the
1046 ballot receives the vote of a majority of the employees voting,
1047 a runoff election shall be held according to rules promulgated
1048 by the commission.~~

1049 ~~(d) No petition may be filed seeking an election in any
1050 proposed or existing appropriate bargaining unit to determine
1051 the exclusive bargaining agent within 12 months after the date
1052 of a commission order verifying a representation election or, if
1053 an employee organization prevails, within 12 months after the
1054 date of an effective certification covering any of the employees
1055 in the proposed or existing bargaining unit. Furthermore, if a
1056 valid collective bargaining agreement covering any of the
1057 employees in a proposed unit is in effect, a petition for
1058 certification may be filed with the commission only during the
1059 period extending from 150 days to 90 days immediately preceding
1060 the expiration date of that agreement, or at any time subsequent
1061 to its expiration date but prior to the effective date of any
1062 new agreement. The effective date of a collective bargaining
1063 agreement means the date of ratification by both parties, if the
1064 agreement becomes effective immediately or retroactively; or its
1065 actual effective date, if the agreement becomes effective after
1066 its ratification date.~~

1067 ~~(5) (4) In defining a proposed bargaining unit, the
1068 commission shall take into consideration:~~

1069 ~~(a) The principles of efficient administration of
1070 government.~~

1071 ~~(b) The number of employee organizations with which the~~



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1072 employer might have to negotiate.

1073 (c) The compatibility of the unit with the joint
1074 responsibilities of the public employer and public employees to
1075 represent the public.

1076 (d) The power of the officials of government at the level
1077 of the unit to agree, or make effective recommendations to
1078 another administrative authority or to a legislative body, with
1079 respect to matters of employment upon which the employee desires
1080 to negotiate.

1081 (e) The organizational structure of the public employer.

1082 (f) Community of interest among the employees to be
1083 included in the unit, considering:

1084 1. The manner in which wages and other terms of employment
1085 are determined.

1086 2. The method by which jobs and salary classifications are
1087 determined.

1088 3. The interdependence of jobs and interchange of
1089 employees.

1090 4. The desires of the employees.

1091 5. The history of employee relations within the
1092 organization of the public employer concerning organization and
1093 negotiation and the interest of the employees and the employer
1094 in the continuation of a traditional, workable, and accepted
1095 negotiation relationship.

1096 (g) The statutory authority of the public employer to
1097 administer a classification and pay plan.

1098 (h) Such other factors and policies as the commission may
1099 deem appropriate.



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1101 However, a bargaining ~~no~~ unit may not ~~shall~~ be established or
1102 approved for purposes of collective bargaining which includes
1103 both professional and nonprofessional employees unless a
1104 majority of each group votes for inclusion in such bargaining
1105 unit.

1106 Section 12. Section 447.3076, Florida Statutes, is created
1107 to read:

1108 447.3076 Clarification of bargaining units.—

1109 (1) A petition to clarify the composition of a bargaining
1110 unit may be filed with the commission when significant changes
1111 in statutory law or case law require clarification of the
1112 bargaining unit or when a classification was:

1113 (a) Created or substantially changed after the unit was
1114 initially defined by the commission;

1115 (b) Retitled with no substantial change in job duties; or

1116 (c) Included or excluded through inadvertence or
1117 misunderstanding by the commission.

1118 (2) A bargaining unit clarification petition may be filed
1119 by the bargaining agent for the bargaining unit or by the public
1120 employer of the public employees in the unit.

1121 (3) A copy of the petition must be served on the public
1122 employer and any bargaining agent that is certified to represent
1123 any employee or classification which may be substantially
1124 affected by the proposed bargaining unit clarification.

1125 (4) If any substantially affected employees are not
1126 represented by a bargaining agent, the public employer must
1127 provide a copy of the petition to those employees within 10 days
1128 after the filing of the petition.

1129 (5) When the clarification of a bargaining unit would



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1130 result in an increase in the size of the bargaining unit by more
1131 than 25 percent, the unit clarification petition raises a
1132 question concerning representation and must be dismissed.

1133 Section 13. Section 447.308, Florida Statutes, is amended
1134 to read:

1135 447.308 Decertification Revocation of certification of
1136 employee organizations organization.—

1137 (1) A public Any employee or group of public employees
1138 which no longer desires to be represented by a the certified
1139 bargaining agent may file with the commission a petition to
1140 decertify the bargaining agent revoke certification. The
1141 petition must shall be accompanied by a showing of interest from
1142 dated statements signed by at least 30 percent of the public
1143 employees in the bargaining unit, indicating that such employees
1144 no longer desire to be represented for purposes of collective
1145 bargaining by the certified bargaining agent. The time of filing
1146 said petition shall be governed by the provisions of s.

1147 447.307(3) (d) relating to petitions for certification. The
1148 showing of interest statements must be signed and dated by the
1149 public employees not more than 12 months before the filing of
1150 the petition. Any employee, employer, or employee organization
1151 having sufficient reason to believe that the showing of interest
1152 was any of the employee signatures were obtained by collusion,
1153 coercion, intimidation, or misrepresentation or is are otherwise
1154 invalid shall be given a reasonable opportunity to verify and
1155 challenge the showing of interest signatures appearing on the
1156 petition.

1157 (2) (a) A decertification petition may not be filed
1158 regarding the bargaining unit within 12 months after the date



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1159 the commission issues an order that verifies the results of a
1160 certification, recertification, or decertification election
1161 covering any of the public employees in the unit.

1162 (b) If a valid collective bargaining agreement covering any
1163 of the public employees in the bargaining unit is in effect, a
1164 decertification petition may only be filed with the commission
1165 at least 90 but not more than 150 days immediately preceding the
1166 expiration date of the collective bargaining agreement, or at
1167 any time after such agreement's expiration date but before the
1168 effective date of a new collective bargaining agreement. The
1169 effective date of a collective bargaining agreement is the date
1170 of ratification of such agreement by both parties if such
1171 agreement becomes effective immediately or retroactively, or the
1172 collective bargaining agreement's actual effective date if such
1173 agreement becomes effective after its ratification date.

1174 (3) The commission or one of its designated agents shall
1175 investigate the decertification petition to determine its
1176 sufficiency. If the commission finds that the petition is to be
1177 insufficient, the commission must ~~it may~~ dismiss the petition.
1178 If the commission finds that the petition is sufficient, the
1179 commission must ~~it shall immediately~~:

1180 (a) Identify the bargaining unit and determine which public
1181 employees shall be qualified and entitled to vote in the
1182 election held by the commission.

1183 (b) Identify the public employer or employers of the
1184 bargaining unit.

1185 (c) Order an election by secret ballot, the cost of said
1186 election to be borne equally by the parties, except as the
1187 commission may provide by rule. The commission's order assessing



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1188 costs of an election may be enforced pursuant to the provisions
1189 of this part.

1190 (4) (a) Except as provided in paragraph (b), elections are
1191 determined as follows for all decertification petitions filed on
1192 or after July 1, 2026:

1193 1. If decertification of the bargaining agent is selected
1194 by a majority vote of the public employees who are in the
1195 bargaining unit as of the date set by the commission, the
1196 commission shall revoke the bargaining agent's certification for
1197 that bargaining unit.

1198 2. If decertification is not selected by a majority vote of
1199 the public employees who are in the bargaining unit as of the
1200 date set by the commission, the bargaining agent shall retain
1201 its certification for that bargaining unit.

1202 (b) Decertification elections involving public safety units
1203 are determined as follows:

1204 1. (2) If decertification is selected by a majority vote of
1205 the public employees voting in the such election vote against
1206 the continuation of representation by the certified bargaining
1207 agent, the commission shall revoke the certification of the
1208 employee organization as the exclusive bargaining agent's
1209 certification for that agent for the employees in the bargaining
1210 unit shall be revoked.

1211 2. (3) If decertification is not selected by a majority vote
1212 of the public employees voting in the such election do not vote
1213 against the continuation of representation by the certified
1214 bargaining agent, the bargaining agent shall retain its
1215 certification for that bargaining of the employee organization
1216 as the exclusive bargaining agent for the employees in the unit



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1217 ~~shall be retained by the organization.~~

1218 (c) Revocation under this section is effective upon the
1219 issuance of a final order by the commission or, if the final
1220 order is appealed, at the time the appeal is exhausted or any
1221 stay is vacated by the commission or a court.

1222 Section 14. Section 447.309, Florida Statutes, is amended
1223 to read:

1224 447.309 Collective bargaining; approval or rejection.—

1225 (1) After an employee organization has been certified as
1226 the bargaining agent of a bargaining unit pursuant to the
1227 provisions of this part, the bargaining agent for the
1228 organization and the chief executive officer of the appropriate
1229 public employer or employers, jointly, shall bargain
1230 collectively in the determination of the wages, hours, and terms
1231 and conditions of employment of the public employees within the
1232 bargaining unit. The chief executive officer or his or her
1233 representative and the bargaining agent or its representative
1234 shall meet at reasonable times and bargain in good faith. In
1235 conducting negotiations with the bargaining agent, the chief
1236 executive officer or his or her representative shall consult
1237 with, and attempt to represent the views of, the legislative
1238 body of the public employer. Any collective bargaining agreement
1239 reached by the negotiators must shall be reduced to writing, and
1240 such agreement must shall be signed by the chief executive
1241 officer and the bargaining agent. Any agreement signed by the
1242 chief executive officer and the bargaining agent is shall not be
1243 binding on the public employer until such agreement has been
1244 ratified by the public employer and the by public employees in
1245 who are members of the bargaining unit, subject to the



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1246 ~~provisions of~~ subsections (2) and (3). However, with respect to
1247 statewide bargaining units, any agreement signed by the Governor
1248 and the bargaining agent for such a bargaining unit ~~is~~ shall not
1249 be binding until approved by the public employees ~~in who are~~
1250 ~~members of~~ the bargaining unit, subject to ~~the provisions of~~
1251 subsections (2) and (3).

1252 (2) (a) Upon execution of the collective bargaining
1253 agreement, the chief executive shall, in his or her annual
1254 budget request or by other appropriate means, request the
1255 legislative body to appropriate such amounts as shall be
1256 sufficient to fund the provisions of the collective bargaining
1257 agreement.

1258 (b) If the state is a party to a collective bargaining
1259 agreement in which less than the requested amount is
1260 appropriated by the Legislature, the collective bargaining
1261 agreement shall be administered on the basis of the amounts
1262 appropriated by the Legislature. The failure of the Legislature
1263 to appropriate funds sufficient to fund the collective
1264 bargaining agreement ~~does~~ shall not constitute, or be evidence
1265 of, any unfair labor practice. All collective bargaining
1266 agreements entered into by the state are subject to the
1267 appropriations powers of the Legislature, and ~~the provisions of~~
1268 this section ~~may~~ shall not conflict with the exclusive authority
1269 of the Legislature to appropriate funds.

1270 (3) If any provision of a collective bargaining agreement
1271 is in conflict with any law, ordinance, rule, or regulation over
1272 which the chief executive officer has no amendatory power, the
1273 chief executive officer shall submit to the appropriate
1274 governmental body having amendatory power a proposed amendment



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1275 to such law, ordinance, rule, or regulation. Unless and until
1276 such amendment is enacted or adopted and becomes effective, the
1277 conflicting provision of the collective bargaining agreement may
1278 ~~shall~~ not become effective.

1279 (4) If the agreement is not ratified by the public employer
1280 or is not approved by a majority ~~vote of~~ the public employees
1281 voting ~~in the unit~~, in accordance with procedures adopted by the
1282 commission, the agreement shall be returned to the chief
1283 executive officer and the bargaining agent ~~employee organization~~
1284 for further negotiations.

1285 (5) A ~~Any~~ collective bargaining agreement may ~~shall~~ not
1286 provide for a term of existence of more than 3 years and must
1287 ~~shall~~ contain all of the terms and conditions of employment of
1288 the employees in the bargaining unit during such term except
1289 those terms and conditions provided for in applicable merit and
1290 civil service rules and regulations.

1291 Section 15. Section 447.401, Florida Statutes, is amended
1292 to read:

1293 447.401 Grievance procedures.—Each public employer and
1294 bargaining agent shall negotiate a grievance procedure to be
1295 used for the settlement of disputes between a public employer
1296 and a public employee, or a group of public employees, involving
1297 the interpretation or application of a collective bargaining
1298 agreement. The ~~Such~~ grievance procedure must ~~shall~~ have as its
1299 terminal step a final and binding disposition by an impartial
1300 neutral arbitrator, mutually selected by the parties; however,
1301 when the issue under appeal is an allegation of abuse,
1302 abandonment, or neglect of a child by a public ~~an~~ employee under
1303 s. 39.201 or an allegation of abuse, neglect, or exploitation of



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1304 a vulnerable adult by a public employee under s. 415.1034, the
1305 grievance may not be decided until such allegation the abuse,
1306 abandonment, or neglect of a child has been judicially
1307 determined. However, an arbitrator arbiter or other neutral
1308 party may shall not have the power to add to, subtract from,
1309 modify, or alter the terms of a collective bargaining agreement.
1310 If an employee organization is certified as the bargaining agent
1311 of a bargaining unit, the grievance procedure then in existence
1312 may be the subject of collective bargaining, and any agreement
1313 that which is reached shall supersede the previously existing
1314 procedure. All public employees shall have the right to a fair
1315 and equitable grievance procedure administered without regard to
1316 membership or nonmembership in any employee organization, except
1317 that bargaining agents may certified employee organizations
1318 shall not be required to process grievances for public employees
1319 who are not members of the employee organization. A public
1320 career service employee may use shall have the option of
1321 utilizing the civil service appeal procedure, an unfair labor
1322 practice procedure, or a grievance procedure established under
1323 this section, but may not avail such employee is precluded from
1324 availing himself or herself of to more than one of these
1325 procedures.

1326 Section 16. Subsections (1) through (4) of section 447.403,
1327 Florida Statutes, are amended to read:

1328 447.403 Resolution of impasses.—

1329 (1) If, after a reasonable period of negotiation concerning
1330 the terms and conditions of employment to be incorporated in a
1331 collective bargaining agreement, a dispute exists between a
1332 public employer and a bargaining agent, either party may declare



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1333 an impasse by providing written notification ~~shall be deemed to~~
1334 ~~have occurred when one of the parties so declares in writing to~~
1335 the other party and to the commission. When an impasse occurs,
1336 the public employer or the bargaining agent, or both parties
1337 acting jointly, may use appoint, or secure the services
1338 ~~appointment of~~, a mediator to assist in the resolution of the
1339 impasse. If the Governor is the public employer or for an
1340 impasse declared pursuant to s. 447.4095, a no mediator may not
1341 ~~shall~~ be appointed.

1342 (2) (a) If a no mediator is not used under subsection (1)
1343 ~~appointed~~, or upon the request of either party, the commission
1344 must ~~shall~~ appoint, and submit all unresolved issues to, a
1345 special magistrate acceptable to both parties. If the parties
1346 are unable to agree on the appointment of a special magistrate,
1347 the commission must ~~shall~~ appoint, in its discretion, a
1348 qualified special magistrate. However, if the parties agree in
1349 writing to waive the appointment of a special magistrate, the
1350 parties may proceed directly to resolution of the impasse by the
1351 legislative body pursuant to paragraph (4) (d). Nothing in this
1352 section precludes the parties from using the services of a
1353 mediator at any time during the conduct of collective
1354 bargaining.

1355 (b) If the Governor is the public employer, a no special
1356 magistrate may not ~~shall~~ be appointed. The parties must ~~may~~
1357 proceed directly to the Legislature for resolution of the
1358 impasse pursuant to paragraph (4) (d).

1359 (c) For an impasse declared pursuant to s. 447.4095(2), the
1360 parties must agree on a special magistrate and submit the
1361 agreed-upon name to the commission within 5 calendar days after



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1362 the declaration of impasse. Within 2 business days after the
1363 submission of the special magistrate's name, the commission must
1364 appoint the agreed-upon special magistrate. If the parties do
1365 not submit the name of an agreed-upon special magistrate to the
1366 commission within 5 calendar days after the declaration of
1367 impasse, the commission must appoint a special magistrate of its
1368 choosing within 5 calendar days after the parties' deadline to
1369 submit the name of the agreed-upon special magistrate. Within 5
1370 calendar days after the special magistrate is appointed, each
1371 party must submit a list of issues at impasse to the special
1372 magistrate and serve a copy of the list on the other party at
1373 the same time.

1374 (3) The special magistrate must shall hold a hearing
1375 hearings in order to define the area or areas of dispute, to
1376 determine facts relating to the dispute, and to render a
1377 decision on any and all unresolved contract issues. The hearing
1378 must hearings shall be held at a time, date, and place times,
1379 dates, and places to be established by the special magistrate in
1380 accordance with rules adopted promulgated by the commission. For
1381 an impasse declared pursuant to s. 447.4095(2), a hearing must
1382 be held within 20 calendar days after the parties submit the
1383 list of issues at impasse to the special magistrate. The special
1384 magistrate may shall be empowered to administer oaths and issue
1385 subpoenas on behalf of the parties to the dispute or on his or
1386 her own behalf. Within 15 calendar days after the close of the
1387 final hearing, or 7 calendar days after the close of the hearing
1388 for an impasse declared pursuant to s. 447.4095(2), the special
1389 magistrate must submit shall transmit his or her recommended
1390 decision to the commission and to the representatives of both



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1391 parties by any method of service agreed to by the parties which
1392 establishes proof of delivery registered mail, return receipt
1393 requested. Such recommended decision must shall be discussed by
1394 the parties, and each recommendation of the special magistrate
1395 is shall be deemed approved by both parties unless specifically
1396 rejected by either party by written notice filed with the
1397 commission within 20 calendar days, or 10 calendar days for an
1398 impasse declared pursuant to s. 447.4095(2), after the date the
1399 party received the special magistrate's recommended decision.
1400 The written notice must shall include a statement of the cause
1401 for each rejection and shall be served upon the other party at
1402 the same time as it is filed with the commission.

1403 (4) If either the public employer or the bargaining agent
1404 ~~employee organization~~ does not accept, in whole or in part, the
1405 recommended decision of the special magistrate, all of the
1406 following procedures apply:

1407 (a) The chief executive officer of the governmental entity
1408 involved shall, within 10 calendar days after rejection of a
1409 recommendation of the special magistrate, submit to the
1410 legislative body of the governmental entity involved a copy of
1411 the findings of fact and recommended decision of the special
1412 magistrate, together with the chief executive officer's
1413 recommendations for settling the disputed impasse issues. The
1414 chief executive officer shall also submit transmit his or her
1415 recommendations to the bargaining agent at the same time as the
1416 recommendations are submitted to the legislative body. employee
1417 organization;

1418 (b) Within 10 calendar days after rejection of a
1419 recommendation of the special magistrate, the bargaining agent



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1420 ~~employee organization~~ shall submit its recommendations for
1421 settling the disputed impasse issues to such legislative body
1422 and to the chief executive officer.†

1423 (c) The legislative body or its a duly authorized committee
1424 ~~thereof~~ shall ~~forthwith~~ conduct a public hearing at which the
1425 parties shall ~~be required to~~ explain their positions with
1426 respect to the rejected recommendations of the special
1427 magistrate. For an impasse declared pursuant to s. 447.4095(2),
1428 the legislative body must conduct the public hearing within 20
1429 calendar days after the parties submit their recommendations to
1430 the legislative body.†

1431 (d) Thereafter, the legislative body shall take such action
1432 as it deems to be in the public interest, including the interest
1433 of the public employees involved, to resolve all disputed
1434 impasse issues. For an impasse declared pursuant to s.
1435 447.4095(2), the legislative body must take action within 10
1436 calendar days after the close of the public hearing.; and

1437 (e) 1. Following the resolution of the disputed impasse
1438 issues by the legislative body, the parties shall reduce to
1439 writing an agreement which includes those issues agreed to by
1440 the parties and those disputed impasse issues resolved by the
1441 legislative body's action taken pursuant to paragraph (d). For
1442 an impasse declared pursuant to s. 447.4095(2), the parties must
1443 reduce the agreement to writing within 10 calendar days after
1444 the resolution of the disputed impasse issues by the legislative
1445 body.

1446 2. The agreement must ~~shall~~ be signed by the chief
1447 executive officer and the bargaining agent and ~~shall~~ be
1448 submitted to the public employer and ~~to~~ the public employees in



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1449 ~~who are members of the bargaining unit for ratification. For an~~
1450 ~~impasse declared pursuant to s. 447.4095(2), the chief executive~~
1451 ~~officer and the bargaining agent must sign the agreement within~~
1452 ~~7 calendar days after the agreement is reduced to writing and~~
1453 ~~must submit the agreement to the public employer and the~~
1454 ~~bargaining unit for ratification within 10 calendar days after~~
1455 ~~the agreement is signed. For an impasse declared pursuant to s.~~
1456 ~~447.4095(2), the agreement must be signed, submitted, and~~
1457 ~~ratified separately from other bargainable issues.~~

1458 3. If ~~the such~~ agreement is not ratified by all parties,
1459 pursuant to ~~the provisions of~~ s. 447.309, the legislative body's
1460 action taken pursuant to ~~the provisions of~~ paragraph (d) shall
1461 take effect as of the date of such legislative body's action for
1462 the remainder of the first fiscal year which was the subject of
1463 negotiations; however, the legislative body's action ~~may shall~~
1464 not take effect with respect to those disputed impasse issues
1465 ~~that which~~ establish the language of contractual provisions ~~that~~
1466 ~~which~~ could have no effect in the absence of a ratified
1467 agreement, including, but not limited to, preambles, recognition
1468 clauses, and duration clauses.

1469 Section 17. Section 447.405, Florida Statutes, is amended
1470 to read:

1471 447.405 Factors to be considered by the special
1472 magistrate.—The special magistrate shall conduct the hearings
1473 and render recommended decisions with the objective of achieving
1474 a prompt, peaceful, and just settlement of disputes between the
1475 ~~bargaining agents public employee organizations~~ and the public
1476 employers. The factors, ~~among others,~~ to be given weight by the
1477 special magistrate in arriving at a recommended decision must



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1478 shall include:

1479 (1) Comparison of the annual income of employment of the
1480 public employees in question with the annual income of
1481 employment maintained for the same or similar work of employees
1482 exhibiting like or similar skills under the same or similar
1483 working conditions in the local operating area involved.

1484 (2) Comparison of the annual income of employment of the
1485 public employees in question with the annual income of
1486 employment of public employees in similar public employee
1487 governmental bodies of comparable size within this ~~the~~ state.

1488 (3) The interest and welfare of the public.

1489 (4) Comparison of peculiarities of employment in regard to
1490 other trades or professions, specifically with respect to:

1491 (a) Hazards of employment.

1492 (b) Physical qualifications.

1493 (c) Educational qualifications.

1494 (d) Intellectual qualifications.

1495 (e) Job training and skills.

1496 (f) Retirement plans.

1497 (g) Sick leave.

1498 (h) Job security.

1499 (5) Availability of funds.

1500 Section 18. Section 447.4095, Florida Statutes, is amended
1501 to read:

1502 447.4095 Financial urgency.—

1503 (1) In the event of a financial urgency requiring
1504 modification of an agreement, the chief executive officer or his
1505 or her representative and the bargaining agent or its
1506 representative must ~~shall~~ meet as soon as possible to negotiate



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1507 the impact of the financial urgency. If after a reasonable
1508 period of negotiation, which may ~~shall~~ not exceed 14 calendar
1509 days, a dispute exists between the public employer and the
1510 bargaining agent, an impasse is ~~shall~~ be deemed to have
1511 occurred, and one of the parties must ~~shall~~ so declare in
1512 writing to the other party and to the commission. The parties
1513 must ~~shall~~ then proceed to follow the requirements under
1514 ~~pursuant to the provisions of~~ s. 447.403. An unfair labor
1515 practice charge may ~~shall~~ not be filed during the 14 calendar
1516 days during which negotiations are occurring under ~~pursuant to~~
1517 this section.

1518 (2) For the purposes of this section, the implementation of
1519 appropriations to local governments by the Legislature which are
1520 specifically directed in law to be disbursed as salaries to
1521 employees of local governments is considered a financial
1522 urgency. If the use of funding appropriated by the Legislature
1523 to local governments is restricted to salaries and associated
1524 costs of such salaries and the implementation of such
1525 appropriations will require modification of an agreement, the
1526 chief executive officer or his or her representative and the
1527 bargaining agent or its representative must meet within 15
1528 calendar days after the effective date of the appropriation to
1529 negotiate the impact of the financial urgency. If, 30 calendar
1530 days after the effective date of the appropriation, a dispute
1531 exists between the public employer and the bargaining agent as
1532 to the impact of the financial urgency, one of the parties must,
1533 within 2 business days, declare an impasse in writing to the
1534 other party and to the commission. The parties must then proceed
1535 to follow the requirements under s. 447.403. An unfair labor



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1536 practice charge may not be filed during the 30-day period of
1537 negotiations or while the parties are proceeding through the
1538 resulting impasse process. This subsection does not apply to
1539 public employees in public safety units.

1540 Section 19. Paragraphs (c) and (f) of subsection (1) and
1541 subsection (2) of section 447.501, Florida Statutes, are
1542 amended, and paragraph (g) is added to subsection (1) of that
1543 section, to read:

1544 447.501 Unfair labor practices.—

1545 (1) Public employers or their agents or representatives are
1546 prohibited from:

1547 (c) Refusing to bargain collectively, failing to bargain
1548 collectively in good faith, or refusing to sign a final
1549 agreement agreed upon with the ~~certified~~ bargaining agent for
1550 the public employees in the bargaining unit.

1551 (f) Refusing to discuss grievances in good faith pursuant
1552 to the terms of the collective bargaining agreement with either
1553 the ~~certified~~ bargaining agent for the public employee or the
1554 employee involved.

1555 (g) Failing to provide to any registered employee
1556 organization or any petitioning public employee who is seeking
1557 to support, oppose, or intervene in the certification,
1558 recertification, or decertification of a bargaining agent equal
1559 access to the public employer's facilities and its internal
1560 means of communication for those purposes. The public employer
1561 must provide such equal access from the date of the filing of a
1562 petition pursuant to s. 447.307 or s. 447.308 until the final
1563 resolution of the petition.

1564 (2) An A public employee organization or anyone acting on



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1565 in its behalf or its officers, representatives, agents, or
1566 members are prohibited from:

1567 (a) Interfering with, restraining, or coercing public
1568 employees in the exercise of any rights guaranteed them under
1569 this part or interfering with, restraining, or coercing
1570 managerial employees by reason of their performance of job
1571 duties or other activities undertaken in the interests of the
1572 public employer.

1573 (b) Causing or attempting to cause a public employer to
1574 discriminate against a public ~~an~~ employee because of such the
1575 employee's membership or nonmembership in an employee
1576 organization or attempting to cause the public employer to
1577 violate ~~any of the provisions of~~ this part.

1578 (c) Refusing to bargain collectively or failing to bargain
1579 collectively in good faith with a public employer.

1580 (d) Discriminating against a public ~~an~~ employee because he
1581 or she has signed or filed an affidavit, a petition, or a
1582 complaint or given any information or testimony in any
1583 proceedings provided for in this part.

1584 (e) Participating in a strike against the public employer
1585 by instigating or supporting, in any positive manner, a strike.
1586 A person who violates Any violation of this paragraph is shall
1587 ~~the violator~~ subject to the penalties provided in this part.

1588 (f) Instigating or advocating support, in any positive
1589 manner, for an employee organization's activities from high
1590 school or grade school students or students in institutions of
1591 higher learning.

1592 Section 20. Subsection (1) of section 447.503, Florida
1593 Statutes, is amended to read:



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1594 447.503 Charges of unfair labor practices.—It is the intent
1595 of the Legislature that the commission act as expeditiously as
1596 possible to settle disputes regarding alleged unfair labor
1597 practices. To this end, violations of the provisions of s.
1598 447.501 shall be remedied by the commission in accordance with
1599 the following procedures and in accordance with chapter 120;
1600 however, to the extent that chapter 120 is inconsistent with the
1601 provisions of this section, the procedures contained in this
1602 section shall govern:

1603 (1) A proceeding to remedy a violation of ~~the provisions of~~
1604 s. 447.501 must shall be initiated by the filing of a charge
1605 with the commission by a public an employer, a public employee,
1606 or an employee organization, or any combination thereof, whose
1607 substantial interests will be affected as referenced in chapter
1608 120. Such a charge must shall contain a clear and concise
1609 statement of facts constituting the alleged unfair labor
1610 practice, including the names of all individuals involved in the
1611 alleged unfair labor practice, and include specific reference to
1612 the provisions of s. 447.501 alleged to have been violated, and
1613 such other relevant information as the commission may by rule
1614 require or allow. Service of the charge must shall be made upon
1615 each named respondent at the time of filing with the commission.
1616 The charge must be accompanied by sworn statements and
1617 documentary evidence sufficient to establish a prima facie
1618 violation of the applicable unfair labor practice provision.
1619 Such supporting evidence is not to be attached to the charge and
1620 is to be furnished only to the commission.

1621 Section 21. Subsections (2) through (5) and paragraph (a)
1622 of subsection (6) of section 447.507, Florida Statutes, are



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1623 amended to read:

1624 447.507 Violation of strike prohibition; penalties.—
1625 (2) If a public employee, a group of public employees, an
1626 employee organization, or any officer, agent, or representative
1627 of any employee organization engages in a strike in violation of
1628 s. 447.505, either the commission or any public employer whose
1629 public employees are involved or whose public employees may be
1630 affected by the strike may file suit to enjoin the strike in the
1631 circuit court having proper jurisdiction and proper venue of
1632 such actions under the Florida Rules of Civil Procedure and
1633 Florida Statutes. The circuit court shall conduct a hearing,
1634 with notice to the commission and to all interested parties, at
1635 the earliest practicable time. If the plaintiff makes a prima
1636 facie showing that a violation of s. 447.505 is in progress or
1637 that there is a clear, real, and present danger that such a
1638 strike is about to commence, the circuit court must shall issue
1639 a temporary injunction enjoining the strike. Upon final hearing,
1640 the circuit court shall either make the injunction permanent or
1641 dissolve it.

1642 (3) If an injunction to enjoin a strike issued pursuant to
1643 this section is not promptly complied with, on the application
1644 of the plaintiff, the circuit court shall immediately initiate
1645 contempt proceedings against those who appear to be in
1646 violation. An employee organization found to be in contempt of
1647 court for violating an injunction against a strike shall be
1648 fined an amount deemed appropriate by the court. In determining
1649 the appropriate fine, the court shall objectively consider the
1650 extent of lost services and the particular nature and position
1651 of the public employee group in violation. A ~~In no event shall~~



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1652 the fine may not exceed \$30,000 ~~\$5,000~~. Each officer, agent, or
1653 representative of an employee organization found to be in
1654 contempt of court for violating an injunction against a strike
1655 shall be fined at least \$300, but not more than \$600, not less
1656 ~~than \$50 nor more than \$100~~ for each calendar day that the
1657 violation is in progress.

1658 (4) An employee organization is ~~shall~~ be liable for any
1659 damages that ~~which~~ might be suffered by a public employer as a
1660 result of a violation of ~~the provisions of~~ s. 447.505 by the
1661 employee organization or its representatives, officers, or
1662 agents. The circuit court having jurisdiction over such actions
1663 may ~~is empowered to~~ enforce judgments against employee
1664 organizations in the amount deemed appropriate by the court in
1665 accordance with this section. An action may not, as defined in
1666 ~~this part, by attachment or garnishment of union initiation fees~~
1667 ~~or dues which are to be deducted or checked off by public~~
1668 ~~employers. No action shall~~ be maintained pursuant to this
1669 subsection until all proceedings that ~~which~~ were pending before
1670 the commission at the time of the strike or that ~~which~~ were
1671 initiated within 30 days after ~~of~~ the strike have been finally
1672 adjudicated or otherwise disposed of. In determining the amount
1673 of damages, if any, to be awarded to the public employer, the
1674 trier of fact shall take into consideration any action or
1675 inaction by the public employer or its agents that provoked or
1676 tended to provoke the strike by the public employees. The trier
1677 of fact shall also take into consideration any damages that
1678 might have been recovered by the public employer under
1679 subparagraph (6)(a)4.

1680 (5) If the commission, after a hearing on notice conducted



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1681 according to rules adopted promulgated by the commission,
1682 determines that a public ~~an~~ employee has violated s. 447.505, it
1683 may order the termination of such employee's ~~his or her~~
1684 employment by the public employer. Notwithstanding any other
1685 provision of law, a person knowingly violating s. 447.505 ~~the~~
1686 ~~provision of said section~~ may, subsequent to such violation, be
1687 appointed, reappointed, employed, or reemployed as a public
1688 employee, but only upon the following conditions:

1689 (a) Such person shall be on probation for ~~a period of~~ 18
1690 months after ~~following~~ his or her appointment, reappointment,
1691 employment, or reemployment, during which period he or she shall
1692 serve without permanent status and at the pleasure of the agency
1693 head.

1694 (b) His or her compensation may not in no event exceed the
1695 compensation ~~that~~ received immediately before ~~prior to~~ the time
1696 of the violation.

1697 (c) The compensation of the person may not be increased
1698 until at least ~~after~~ the ~~expiration of~~ 1 year after ~~from~~ such
1699 appointment, reappointment, employment, or reemployment.

1700 (6) (a) If the commission determines that an employee
1701 organization has violated s. 447.505, it may:

1702 1. Issue cease and desist orders as necessary to ensure
1703 compliance with its order.

1704 2. Suspend or revoke the certification of the ~~employee~~
1705 ~~organization as the~~ bargaining agent of such bargaining employee
1706 unit.

1707 3. Revoke any requirement of the public employer to engage
1708 in membership the right of dues deduction for the and collection
1709 previously granted to said employee organization pursuant to s.



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1710 447.303.

1711 4. Fine the organization up to \$40,000 ~~\$20,000~~ for each
1712 calendar day of such violation or determine the approximate cost
1713 to the public due to each calendar day of the strike and fine
1714 the organization an amount equal to such cost, regardless of
1715 whether the fine exceeds \$40,000, ~~notwithstanding the fact that~~
1716 ~~the fine may exceed \$20,000~~ for each such calendar day. The
1717 fines so collected ~~shall~~ immediately accrue to the public
1718 employer and must ~~shall~~ be used by the public employer him or
1719 ~~her~~ to replace those services denied the public as a result of
1720 the strike. In determining the amount of damages, if any, to be
1721 awarded to the public employer, the commission must consider
1722 ~~shall take into consideration~~ any action or inaction by the
1723 public employer or its agents that provoked, or tended to
1724 provoke, the strike by the public employees.

1725 Section 22. Present subsection (3) of section 447.509,
1726 Florida Statutes, is redesignated as subsection (6), and a new
1727 subsection (3) and subsections (4) and (5) are added to that
1728 section, to read:

1729 447.509 Other unlawful acts; exceptions.-

1730 (3) Public employers, their agents or representatives, or
1731 any persons acting on their behalf may not provide any form of
1732 compensation or paid leave to a public employee, directly or
1733 indirectly, for the purpose of engaging in employee organization
1734 activities.

1735 (4) Notwithstanding subsection (3), a public employee may
1736 do any of the following:

1737 (a) Be granted time off without pay or benefits to engage
1738 in employee organization activities, provided that the public



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1739 employer and the bargaining agent agree. An employee
1740 organization may compensate a public employee for engaging in
1741 employee organization activities.

1742 (b) Use compensated personal leave, whether the leave is
1743 the public employee's or is voluntarily donated by other public
1744 employees in the bargaining unit, to engage in employee
1745 organization activities if:

1746 1. The leave is accrued at the same rate by similarly
1747 situated public employees in the bargaining unit without regard
1748 to membership in or participation with an employee organization.

1749 2. The public employee may freely choose how to use the
1750 leave.

1751 (c) Engage in representational employee organization
1752 activities on behalf of the bargaining agent while in a duty
1753 status without loss of pay or benefits, provided that the public
1754 employer and the bargaining agent agree.

1755 (5) Subsections (3) and (4) do not apply to public
1756 employees in public safety units.

1757 Section 23. Subsection (3) of section 110.114, Florida
1758 Statutes, is amended to read:

1759 110.114 Employee wage deductions.—

1760 (3) Notwithstanding the provisions of subsections (1) and
1761 (2), the deduction of an employee's membership dues deductions
1762 as defined in s. 447.203 s. 447.203(15) for an employee
1763 organization as defined in s. 447.203(11) shall be authorized or
1764 permitted only for an organization that has been certified
1765 pursuant to chapter 447 as the exclusive bargaining agent
1766 pursuant to chapter 447 for a unit of public state employees in
1767 which the employee is included. Such deductions shall be subject



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1768 to ~~the provisions of~~ s. 447.303.

1769 Section 24. Paragraph (w) of subsection (2) of section
1770 110.205, Florida Statutes, is amended to read:

1771 110.205 Career service; exemptions.—

1772 (2) EXEMPT POSITIONS.—The exempt positions that are not
1773 covered by this part include the following:

1774 (w) Managerial employees ~~and, as defined in s. 447.203(4),~~
1775 confidential employees, as those terms are defined in s. 447.203
1776 ~~s. 447.203(5),~~ and supervisory employees who spend the majority
1777 of their time communicating with, motivating, training, and
1778 evaluating employees, and planning and directing employees'
1779 work, and who have the authority to hire, transfer, suspend, lay
1780 off, recall, promote, discharge, assign, reward, or discipline
1781 subordinate employees or effectively recommend such action,
1782 including all employees serving as supervisors, administrators,
1783 and directors. Excluded are employees also designated as special
1784 risk or special risk administrative support and attorneys who
1785 serve as administrative law judges pursuant to s. 120.65 or for
1786 hearings conducted pursuant to s. 120.57(1)(a). Additionally,
1787 registered nurses licensed under chapter 464, dentists licensed
1788 under chapter 466, psychologists licensed under chapter 490 or
1789 chapter 491, nutritionists or dietitians licensed under part X
1790 of chapter 468, pharmacists licensed under chapter 465,
1791 psychological specialists licensed under chapter 491, physical
1792 therapists licensed under chapter 486, and speech therapists
1793 licensed under part I of chapter 468 are excluded, unless
1794 otherwise collectively bargained.

1795 Section 25. Subsection (6) of section 112.3187, Florida
1796 Statutes, is amended to read:



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1797 112.3187 Adverse action against employee for disclosing
1798 information of specified nature prohibited; employee remedy and
1799 relief.—

1800 (6) TO WHOM INFORMATION DISCLOSED.—The information
1801 disclosed under this section must be disclosed to any agency or
1802 federal government entity having the authority to investigate,
1803 police, manage, or otherwise remedy the violation or act,
1804 including, but not limited to, the Office of the Chief Inspector
1805 General, an agency inspector general or the employee designated
1806 as agency inspector general under s. 112.3189(1) or inspectors
1807 general under s. 20.055, the Florida Commission on Human
1808 Relations, and the whistle-blower's hotline created under s.
1809 112.3189. However, for disclosures concerning a local
1810 governmental entity, including any regional, county, or
1811 municipal entity, special district, community college district,
1812 or school district or any political subdivision of any of the
1813 foregoing, the information must be disclosed to a chief
1814 executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or
1815 other appropriate local official.

1816 Section 26. Subsection (5) of section 121.031, Florida
1817 Statutes, is amended to read:

1818 121.031 Administration of system; appropriation; oaths;
1819 actuarial studies; public records.—

1820 (5) The names and addresses of retirees are confidential
1821 and exempt from ~~the provisions of~~ s. 119.07(1) to the extent
1822 that no state or local governmental agency may provide the names
1823 or addresses of such persons in aggregate, compiled, or list
1824 form to any person except to a public agency engaged in official
1825 business. However, a state or local government agency may



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1826 provide the names and addresses of retirees from that agency to
1827 a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to
1828 a retiree organization for official business use. Lists of names
1829 or addresses of retirees may be exchanged by public agencies,
1830 but such lists may ~~shall~~ not be provided to, or open for
1831 inspection by, the public. Any person may view or copy any
1832 individual's retirement records at the Department of Management
1833 Services, one record at a time, or may obtain information by a
1834 separate written request for a named individual for which
1835 information is desired.

1836 Section 27. Subsection (1) of section 447.02, Florida
1837 Statutes, is amended to read:

1838 447.02 Definitions.—The following terms, when used in this
1839 chapter, shall have the meanings ascribed to them in this
1840 section:

1841 (1) The term "labor organization" means any organization of
1842 employees or local or subdivision thereof, having within its
1843 membership residents of the state, whether incorporated or not,
1844 organized for the purpose of dealing with employers concerning
1845 hours of employment, rate of pay, working conditions, or
1846 grievances of any kind relating to employment and recognized as
1847 a unit of bargaining by one or more employers doing business in
1848 this state, except that an "employee organization," as defined
1849 in s. 447.203 ~~s. 447.203(11)~~, shall be included in this
1850 definition at such time as it seeks to register pursuant to s.
1851 447.305.

1852 Section 28. Section 447.609, Florida Statutes, is amended
1853 to read:

1854 447.609 Representation in proceedings.—Any full-time



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1855 employee or officer of any public employer or employee
1856 organization may represent his or her employer or any public
1857 employee in member of a bargaining unit in any proceeding
1858 authorized in this part, excluding the representation of any
1859 person or public employer in a court of law by a person who is
1860 not a licensed attorney.

1861 Section 29. Subsection (2) of section 1011.60, Florida
1862 Statutes, is amended to read:

1863 1011.60 Minimum requirements of the Florida Education
1864 Finance Program.—Each district which participates in the state
1865 appropriations for the Florida Education Finance Program shall
1866 provide evidence of its effort to maintain an adequate school
1867 program throughout the district and shall meet at least the
1868 following requirements:

1869 (2) MINIMUM TERM.—Operate all schools for a term of 180
1870 actual teaching days or the equivalent on an hourly basis as
1871 specified by rules of the State Board of Education each school
1872 year. The State Board of Education may prescribe procedures for
1873 altering, and, upon written application, may alter, this
1874 requirement during a national, state, or local emergency as it
1875 may apply to an individual school or schools in any district or
1876 districts if, in the opinion of the board, it is not feasible to
1877 make up lost days or hours, and the apportionment may, at the
1878 discretion of the Commissioner of Education and if the board
1879 determines that the reduction of school days or hours is caused
1880 by the existence of a bona fide emergency, be reduced for such
1881 district or districts in proportion to the decrease in the
1882 length of term in any such school or schools. A strike, as
1883 defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school



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1884 district may not be considered an emergency.

1885 Section 30. This act shall take effect July 1, 2026.