



841228

LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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03/04/2026 07:34 PM

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Senator Garcia moved the following:

Senate Amendment (with title amendment)

Delete lines 916 - 1012

and insert:

must be signed and dated by the public employees. Showing of interest statements may be signed and dated in accordance with the Electronic Signature Act of 1996 ~~which is designated or selected by a majority of public employees in an appropriate unit as their representative for purposes of collective bargaining shall request recognition by the public employer. The public employer shall, if satisfied as to the majority status of~~



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12 ~~the employee organization and the appropriateness of the~~
13 ~~proposed unit, recognize the employee organization as the~~
14 ~~collective bargaining representative of employees in the~~
15 ~~designated unit. Upon recognition by a public employer, the~~
16 ~~employee organization shall immediately petition the commission~~
17 ~~for certification. The commission shall review only the~~
18 ~~appropriateness of the unit proposed by the employee~~
19 ~~organization. If the unit is appropriate according to the~~
20 ~~criteria used in this part, the commission shall immediately~~
21 ~~certify the employee organization as the exclusive~~
22 ~~representative of all employees in the unit. If the unit is~~
23 ~~inappropriate according to the criteria used in this part, the~~
24 ~~commission may dismiss the petition.~~

25 ~~(b) Whenever a public employer recognizes an employee~~
26 ~~organization on the basis of majority status and on the basis of~~
27 ~~appropriateness in accordance with subparagraph (4) (f) 5., the~~
28 ~~commission shall, in the absence of inclusion of a prohibited~~
29 ~~category of employees or violation of s. 447.501, certify the~~
30 ~~proposed unit.~~

31 ~~(b)(2) A~~ A ~~If the public employer refuses to recognize the~~
32 ~~employee organization, the employee organization may file a~~
33 ~~petition with the commission for certification as the bargaining~~
34 ~~agent for a proposed bargaining unit. The petition shall be~~
35 ~~accompanied by dated statements signed by at least 30 percent of~~
36 ~~the employees in the proposed unit, indicating that such~~
37 ~~employees desire to be represented for purposes of collective~~
38 ~~bargaining by the petitioning employee organization. Once a~~
39 ~~petition for certification has been filed by an employee~~
40 ~~organization, any registered employee organization desiring~~



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41 placement on the ballot in any certification or recertification
42 election to be conducted pursuant to this section may be
43 permitted by the commission to intervene in the proceeding upon
44 a motion accompanied by a showing of interest from dated
45 ~~statements signed by~~ at least 10 percent of the public employees
46 in the proposed or existing bargaining unit, ~~indicating that~~
47 ~~such employees desire to be represented for the purposes of~~
48 ~~collective bargaining by the moving employee organization~~. The
49 showing of interest petitions and dated statements must be
50 signed and dated by the public employees not more than 12 months
51 before the filing of the petition.

52 (c) The showing of interest is ~~are~~ confidential and exempt
53 from ~~the provisions of~~ s. 119.07(1), except that any public
54 employee, public employer, or employee organization having
55 sufficient reason to believe that the showing of interest was
56 ~~any of the employee signatures were~~ obtained by collusion,
57 coercion, intimidation, or misrepresentation or is ~~are~~ otherwise
58 invalid must ~~shall~~ be given a reasonable opportunity to verify
59 and challenge the showing of interest signatures appearing on
60 ~~the petition.~~

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

67 (2) (a) A certification petition may not be filed regarding
68 any proposed or existing bargaining unit within 12 months after
69 the date the commission issues an order that verifies the



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70 results of a certification, recertification, or decertification
71 election covering any of the public employees in the proposed or
72 existing bargaining unit.

73 (b) If a valid collective bargaining agreement covering any
74 of the public employees in a proposed or existing bargaining
75 unit is in effect, a certification petition may only be filed
76 with the commission at least 90 but not more than 150 days
77 immediately preceding the expiration date of the collective
78 bargaining agreement, or at any time subsequent to such
79 agreement's expiration date but before the effective date of a
80 new collective bargaining agreement. The effective date of a
81 collective bargaining agreement is the date of ratification of
82 such agreement by both parties if such agreement becomes
83 effective immediately or retroactively, or the collective
84 bargaining agreement's actual effective date if such agreement
85 becomes effective after its ratification date.

86 (3)(a) The commission or one of its designated agents shall
87 investigate a certification or recertification ~~the~~ petition to
88 determine its sufficiency; ~~if it has reasonable cause to believe~~
89 ~~that the petition is sufficient, the commission shall provide~~
90 ~~for an appropriate hearing upon due notice. Such a hearing may~~
91 ~~be conducted by an agent of the commission. If the commission~~
92 finds that the petition is ~~to be~~ insufficient, the commission
93 must ~~it may~~ dismiss the petition. If the commission finds upon
94 ~~the record of the hearing~~ that the petition is sufficient, the
95 commission must ~~it shall~~ immediately:

96 (a)1. Define the proposed or existing bargaining unit and
97 determine which public employees are ~~shall be~~ qualified and
98 entitled to vote at any election held by the commission. Upon



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99 providing due notice, the commission may provide for a hearing.

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

102 (c)3. Order an election by secret ballot by using a method
103 agreed upon by the employer and petitioner, including, but not
104 limited to, mail ballot or onsite voting, to be held during
105 consecutive days when the majority of the bargaining unit is
106 scheduled to work. An election conducted by mail ballot must
107 include return envelopes with prepaid postage affixed. The cost
108 of said election and any required runoff election must ~~to~~ be
109 borne equally by

110

111 ===== T I T L E A M E N D M E N T =====

112 And the title is amended as follows:

113 Delete line 66

114 and insert:

115 organization; providing that a showing of interest
116 statement may be signed and dated in accordance with
117 the Electronic Signature Act of 1996; requiring that
118 the method of an election by secret ballot be agreed
119 upon by the employer and petitioner; specifying such
120 methods; requiring that mail ballot elections include
121 return envelopes with prepaid postage affixed;
122 creating s. 447.3076, F.S.; providing