

**By Senator Martin**

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

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59 organization's certification under certain  
60 circumstances; providing that certain decisions issued  
61 by the commission are final agency actions; amending  
62 s. 447.307, F.S.; revising requirements for the  
63 certification and recertification of an employee  
64 organization; creating s. 447.3076, F.S.; providing  
65 that a petition to clarify the composition of a  
66 bargaining unit may be filed with the commission under  
67 certain circumstances; requiring that a copy of the  
68 petition be served on certain persons; requiring the  
69 public employer to provide a copy of the petition to  
70 certain affected employees within a specified  
71 timeframe; requiring a petition to be dismissed under  
72 certain circumstances; amending s. 447.308, F.S.;  
73 revising requirements for the decertification of an  
74 employee organization; amending s. 447.309, F.S.;  
75 deleting provisions relating to conflicts between any  
76 collective bargaining agreement provision and certain  
77 laws, ordinances, rules, or regulations; requiring  
78 certain agreements to be returned to the bargaining  
79 agent, rather than the employee organization;  
80 requiring collective bargaining agreements to contain  
81 specified terms and conditions; amending s. 447.401,  
82 F.S.; conforming provisions to changes made by the  
83 act; amending s. 447.403, F.S.; specifying  
84 requirements for when an impasse occurs; requiring a  
85 hearing within a specified timeframe; authorizing the  
86 recommended decision of a special magistrate from an  
87 impasse hearing to be transmitted by any method of

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88       service that establishes proof of delivery; amending  
89       s. 447.405, F.S.; conforming provisions to changes  
90       made by the act; amending s. 447.4095, F.S.; providing  
91       that salary increases appropriated by the Legislature  
92       are considered a financial urgency; providing meeting  
93       and dispute requirements; prohibiting unfair labor  
94       charges to be filed during specified time periods;  
95       providing applicability; amending s. 447.501, F.S.;  
96       requiring a public employer to provide to all employee  
97       organizations or petitioning employees equal access to  
98       the employer's facilities and communication systems  
99       for a specified time period; amending s. 447.503,  
100       F.S.; authorizing certain public employers, public  
101       employees, and employee organizations, or combinations  
102       thereof, to file certain charges with the commission;  
103       amending s. 447.507, F.S.; increasing fines for  
104       certain violations; amending s. 447.509, F.S.;  
105       prohibiting public employers, their agents or  
106       representatives, and any persons acting on their  
107       behalf from taking certain actions; authorizing  
108       certain actions by public employees under certain  
109       circumstances; providing applicability; amending ss.  
110       110.114, 110.205, 112.3187, 121.031, 447.02, 447.609,  
111       and 1011.60, F.S.; conforming cross-references and  
112       provisions to changes made by the act; providing an  
113       effective date.

114

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

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117       Section 1. Paragraph (d) of subsection (6) of section  
118 110.227, Florida Statutes, is amended to read:

119       110.227 Suspensions, dismissals, reductions in pay,  
120 demotions, layoffs, transfers, and grievances.—

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

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

131       Section 2. Paragraph (a) of subsection (14) of section  
132 112.0455, Florida Statutes, is amended to read:

133       112.0455 Drug-Free Workplace Act.—

134       (14) DISCIPLINE REMEDIES.—

135       (a) An executive branch employee who is disciplined or who  
136 is a job applicant for another position and is not hired  
137 pursuant to this section, may file an appeal with the Public  
138 Employees Relations Commission. Any appeal must be filed within  
139 30 calendar days after receipt by the employee or job  
140 applicant of notice of discipline or refusal to hire. The notice  
141 shall inform the employee or job applicant of the right to file  
142 an appeal, or if available, the right to file a collective  
143 bargaining grievance pursuant to s. 447.401. Such appeals shall  
144 be resolved pursuant to the procedures established in ss.  
145 447.207(1)-(4), 447.208(2), and 447.503(4) and (5). A hearing on

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146 the appeal shall be conducted within 60 30 days after of the  
147 filing of the appeal, unless an extension is requested by the  
148 employee or job applicant and granted by the commission or an  
149 arbitrator. The final order must be issued by the commission in  
150 accordance with ss. 120.569 and 120.57.

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

153 120.80 Exceptions and special requirements; agencies.—  
154 (12) PUBLIC EMPLOYEES RELATIONS COMMISSION.—  
155 (c) Section 120.60 does not apply to registration of  
156 employee organizations under s. 447.305.

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

159 295.14 Penalties.—

160 (1) When the Public Employees Relations Commission, after a  
161 hearing on notice conducted according to rules adopted by the  
162 commission, determines that a violation of s. 295.07, s. 295.08,  
163 s. 295.085, or s. 295.09(1)(a) or (b) has occurred and sustains  
164 the veteran seeking redress, the commission shall order the  
165 offending agency, employee, or officer of the state to comply  
166 with ~~the provisions of~~ s. 295.07, s. 295.08, s. 295.085, or s.  
167 295.09(1)(a) or (b); and, in the event of a violation of s.  
168 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b), the  
169 commission may issue an order to compensate the veteran for the  
170 loss of any wages and reasonable attorney attorney's fees for  
171 actual hours worked, and costs of all work, including  
172 litigation, incurred as a result of such violation, which order  
173 shall be conclusive on the agency, employee, or officer  
174 concerned. The attorney attorney's fees and costs may not exceed

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175 \$10,000. The final order must be issued by action of the  
176 commission in accordance with ss. 120.569 and 120.57 shall be in  
177 writing and shall be served on the parties concerned by  
178 certified mail with return receipt requested.

179 Section 5. Section 447.203, Florida Statutes, is reordered  
180 and amended to read:

181 447.203 Definitions.—As used in this part:

182 (6)(1) "Commission" means the Public Employees Relations  
183 Commission created by s. 447.205.

184 (17)(2) "Public employer" or "employer" means the state or  
185 any county, municipality, or special district or any subdivision  
186 or agency thereof which the commission determines has sufficient  
187 legal distinctiveness properly to carry out the functions of a  
188 public employer. With respect to all public employees determined  
189 by the commission as properly belonging to a statewide  
190 bargaining unit composed of State Career Service System  
191 employees or Selected Professional Service employees, the  
192 Governor is deemed to be the public employer; and the Board of  
193 Governors of the State University System, or the board's  
194 designee, is deemed to be the public employer with respect to  
195 all public employees of each constituent state university. The  
196 board of trustees of a community college is deemed to be the  
197 public employer with respect to all employees of the community  
198 college. The district school board is deemed to be the public  
199 employer with respect to all employees of the school district.  
200 The Board of Trustees of the Florida School for the Deaf and the  
201 Blind is deemed to be the public employer with respect to the  
202 academic and academic administrative personnel of the Florida  
203 School for the Deaf and the Blind. The Governor is deemed to be

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204 the public employer with respect to all employees in the  
205 Correctional Education Program of the Department of Corrections  
206 established pursuant to s. 944.801.

207 (16) ~~(3)~~ "Public employee" means any person employed by a  
208 public employer except:

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

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

213 (c) Those individuals acting as negotiating representatives  
214 for employer authorities.

215 (d) Those persons who are designated by the commission as  
216 managerial or confidential employees pursuant to criteria  
217 contained herein.

218 (e) Those persons holding positions of employment with the  
219 Florida Legislature.

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

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

225 1. Federal license requirement.

226 2. Federal autonomy regarding investigation and  
227 disciplining of appointees.

228 3. Frequent transfers due to harvesting conditions.

229 (h) Those persons employed by the Public Employees  
230 Relations Commission.

231 (i) Those persons enrolled as undergraduate students in a  
232 state university who perform part-time work for the state

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233 university.

234 (12) ~~(4)~~ "Managerial employees" means are those employees  
235 who:236 (a) Perform jobs that are not of a routine, clerical, or  
237 ministerial nature and require the exercise of independent  
238 judgment in the performance of such jobs and to whom one or more  
239 of the following applies:240 1. They formulate or assist in formulating policies which  
241 are applicable to bargaining unit employees.242 2. They may reasonably be required on behalf of the  
243 employer to assist in the preparation for the conduct of  
244 collective bargaining negotiations.245 3. They have a role in the administration of agreements  
246 resulting from collective bargaining negotiations.247 4. They have a significant role in personnel  
248 administration.

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

250 6. They are included in the definition of administrative  
251 personnel contained in s. 1012.01(3).252 7. They have a significant role in the preparation or  
253 administration of budgets for any public agency or institution  
254 or subdivision thereof.255 (b) Serve as police chiefs, fire chiefs, or directors of  
256 public safety of any police, fire, or public safety department.  
257 Other police officers, as defined in s. 943.10(1), and  
258 firefighters, as defined in s. 633.102, may be determined by the  
259 commission to be managerial employees of such departments. In  
260 making such determinations, the commission shall consider, in  
261 addition to the criteria established in paragraph (a), the

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262 paramilitary organizational structure of the department  
263 involved.

264  
265 However, in determining whether an individual is a managerial  
266 employee pursuant to paragraph (a) or paragraph (b), ~~above~~, the  
267 commission may consider historic relationships of the employee  
268 to the public employer and to coemployees.

269 (7)(5) "Confidential employees" means are persons who act  
270 in a confidential capacity to assist or aid managerial employees  
271 as defined in subsection (12) ~~(4)~~.

272 (21)(6) "Strike" means the concerted failure of employees  
273 to report for duty; the concerted absence of employees from  
274 their positions; the concerted stoppage of work by employees;  
275 the concerted submission of resignations by employees; the  
276 concerted abstinence in whole or in part by any group of  
277 employees from the full and faithful performance of the duties  
278 of employment with a public employer for the purpose of  
279 inducing, influencing, condoning, or coercing a change in the  
280 terms and conditions of employment or the rights, privileges, or  
281 obligations of public employment, or participating in a  
282 deliberate and concerted course of conduct which adversely  
283 affects the services of the public employer; the concerted  
284 failure of employees to report for work after the expiration of  
285 a collective bargaining agreement; and picketing in furtherance  
286 of a work stoppage. The term includes "~~strike~~" shall also mean  
287 any overt preparation, including, but not limited to, the  
288 establishment of strike funds with regard to the ~~above~~ listed  
289 activities listed in this subsection.

290 (22)(7) "Strike funds" means are any appropriations by an

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291 employee organization which are established to directly or  
292 indirectly aid any employee or employee organization to  
293 participate in a strike in the state.

294 (2)-(8) "Bargaining unit" means either that unit determined  
295 by the commission, that unit determined through local  
296 regulations adopted promulgated pursuant to s. 447.603, or that  
297 unit determined by the public employer and the public employee  
298 organization and approved by the commission to be appropriate  
299 for the purposes of collective bargaining. However, no  
300 bargaining unit shall be defined as appropriate which includes  
301 employees of two employers that are not departments or divisions  
302 of the state, a county, a municipality, or other political  
303 entity.

304 (3)-(9) "Chief executive officer" for the state means shall  
305 mean the Governor and for other public employers means shall  
306 mean the person, whether elected or appointed, who is  
307 responsible to the legislative body of the public employer for  
308 the administration of the governmental affairs of the public  
309 employer.

310 (11)-(10) "Legislative body" means the State Legislature,  
311 the board of county commissioners, the district school board,  
312 the governing body of a municipality, or the governing body of  
313 an instrumentality or unit of government having authority to  
314 appropriate funds and establish policy governing the terms and  
315 conditions of employment and which, as the case may be, is the  
316 appropriate legislative body for the bargaining unit. For  
317 purposes of s. 447.403, the Board of Governors of the State  
318 University System, or the board's designee, shall be deemed to  
319 be the legislative body with respect to all employees of each

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320 constituent state university. For purposes of s. 447.403, the  
321 board of trustees of a community college shall be deemed to be  
322 the legislative body with respect to all employees of the  
323 community college.

324 (8) (11) "Employee organization" or "organization" means any  
325 labor organization, union, association, fraternal order,  
326 occupational or professional society, or group, however  
327 organized or constituted, which represents, or seeks to  
328 represent, any public employee or group of public employees  
329 concerning any matters relating to their employment relationship  
330 with a public employer.

331 (9) "Employee organization activities" means activities  
332 undertaken at the direction of, on behalf of, or to advance the  
333 purposes of an employee organization or any parent organization  
334 or affiliate of the employee organization by doing any of the  
335 following:

336 (a) Supporting or opposing a candidate for federal, state,  
337 or local public office.

338 (b) Influencing the passage or defeat of any federal or  
339 state legislation or regulation, local ordinance or resolution,  
340 or ballot measure.

341 (c) Promoting or soliciting membership or participation in,  
342 or financial support of, an employee organization or any parent  
343 organization or affiliate of the employee organization.

344 (d) Seeking certification as a bargaining agent.

345 (e) Participating in the administration, business, or  
346 internal governance of an employee organization or any parent  
347 organization or affiliate of the employee organization.

348 (f) Preparing, conducting, or attending employee

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349 organization events, conferences, conventions, meetings, or  
350 trainings, unless such training is directly related to the  
351 performance of a public employee's job duties.

352 (g) Distributing communications of an employee organization  
353 or any parent organization or affiliate of the employee  
354 organization.

355 (h) Representing or speaking on behalf of an employee  
356 organization or any parent organization or affiliate of the  
357 employee organization in any setting, venue, or procedure in  
358 which the public employer is not a participant.

359 (i) Preparing, filing, or pursuing unfair labor practice  
360 charges or grievances.

361 (j) Representing public employees in investigatory  
362 interviews; disciplinary proceedings or appeals, including  
363 termination; or other administrative or legal proceedings.

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

366 (l) Administering a collective bargaining agreement.

367 (m) Participating in labor-management committees.

368 (1) (12) "Bargaining agent" means the employee organization  
369 that which has been certified by the commission as representing  
370 the employees in the bargaining unit, as provided in s. 447.307,  
371 or its representative.

372 (13) "Membership dues" means employee organization dues;  
373 uniform assessments; fees, including initiation fees; or  
374 voluntary contributions paid in exchange for membership in an  
375 employee organization or as a member of the employee  
376 organization.

377 (15) (13) "Professional employee" means:

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

380       1. Work predominantly intellectual and varied in character  
381 as opposed to routine mental, manual, mechanical, or physical  
382 work.~~;~~

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

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

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

394       (b) Any employee who:

395       1. Has completed the course of specialized intellectual  
396 instruction and study described in subparagraph (a) 4. ~~4.~~ of  
397 paragraph (a); and

398       2. Is performing related work under supervision of a  
399 professional person to qualify to become a professional employee  
400 as defined in paragraph (a).

401       (5)-(14) "Collective bargaining" means the performance of  
402 the mutual obligations of the public employer and the bargaining  
403 agent of the employee organization to meet at reasonable times,  
404 to negotiate in good faith, and to execute a written contract  
405 with respect to agreements reached concerning the terms and  
406 conditions of employment, except that neither party shall be

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407 compelled to agree to a proposal or be required to make a  
408 concession unless otherwise provided in this part.

409 (14) ~~(15)~~ "Membership dues deduction" means the practice by  
410 ~~of~~ a public employer of deducting membership dues ~~and uniform~~  
411 ~~assessments~~ from the salary or wages of a public employee and.  
412 Such term also means the practice of a public employer ~~of~~  
413 transmitting the sums so deducted to an ~~such~~ employee  
414 organization on behalf of the public employee.

415 (4) ~~(16)~~ "Civil service" means any career, civil, or merit  
416 system used by any public employer.

417 (10) ~~(17)~~ "Good faith bargaining" means ~~shall mean~~, but is  
418 not ~~be~~ limited to, the willingness of both parties to meet at  
419 reasonable times and places, as mutually agreed upon, in order  
420 to discuss issues that ~~which~~ are proper subjects of bargaining,  
421 with the intent of reaching a common accord. The term includes  
422 ~~It shall include~~ an obligation for both parties to participate  
423 actively in the negotiations with an open mind and a sincere  
424 desire, as well as making a sincere effort, to resolve  
425 differences and come to an agreement. In determining whether a  
426 party failed to bargain in good faith, the commission shall  
427 consider the total conduct of the parties during negotiations as  
428 well as the specific incidents of alleged bad faith. Incidents  
429 indicative of bad faith shall include, but not be limited to,  
430 the following occurrences:

431 (a) Failure to meet at reasonable times and places with  
432 representatives of the other party for the purpose of  
433 negotiations.

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

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436 (c) Failure to discuss proper subjects of bargaining  
437 bargainable issues.

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

440 | 447.605.

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

443 (f) Negotiating directly with employees rather than with  
444 their ~~certified~~ bargaining agent.

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

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

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

456        (20) "Showing of interest" means written statements signed  
457 and dated by public employees in a proposed or existing  
458 bargaining unit indicating the desire of the public employees  
459 either to be represented by the employee organization for  
460 purposes of collective bargaining or to no longer be represented  
461 by the bargaining agent for purposes of collective bargaining.

462        (23) ~~(18)~~ "Student representative" means the representative  
463 selected by each community college or university student  
464 government association. Each representative may be present at

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465 all negotiating sessions that take place between the appropriate  
466 public employer and a ~~an exclusive~~ bargaining agent. The  
467 representative must be enrolled as a student with at least 8  
468 credit hours in the respective community college or university  
469 during his or her term as student representative.

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

472 447.205 Public Employees Relations Commission.—

473 (8) The commission shall have a seal for authentication of  
474 its orders and proceedings, upon which shall be inscribed the  
475 words "State of Florida-Public Employees Relations Commission"  
476 ~~"State of Florida Employees Relations Commission"~~ and which shall  
477 be judicially noticed.

478 Section 7. Subsections (1), (4), (5), (6), and (12) of  
479 section 447.207, Florida Statutes, are amended to read:

480 447.207 Commission; powers and duties.—

481 (1) The commission shall, in accordance with chapter 120,  
482 adopt, promulgate, amend, or rescind such rules and regulations  
483 as it deems necessary and administratively feasible to carry out  
484 the provisions of this part. Any additional grants of rulemaking  
485 authority contained in this part do not limit the grant of  
486 rulemaking authority in this section.

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

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

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

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

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523 a case pursuant to s. 447.307 or s. 447.503 shall not constitute  
524 a rule within the meaning of s. 120.52.

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

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

541 (b) The requirement to petition the commission for  
542 recertification.

543 (c) The revocation of certification provided in s.  
544 447.305(6) and (7).

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

547 447.301 Public employees' rights; organization and  
548 representation.—

549 (1)

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

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552 authorization form, as prescribed by the commission, and submit  
553 the executed form to the bargaining agent.

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

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

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

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

593       5. An employee organization must retain for inspection by  
594 the commission such membership authorization forms and any  
595 revocations.

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

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

607       (2) Public employees ~~shall~~ have the right to be represented  
608 by any employee organization of their own choosing and to  
609 negotiate collectively, through a ~~certified~~ bargaining agent,

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610 with their public employer in the determination of the terms and  
611 conditions of their employment. Public employees ~~shall~~ have the  
612 right to be represented in the determination of grievances on  
613 all terms and conditions of their employment. Public employees  
614 ~~shall~~ have the right to refrain from exercising the right to be  
615 represented.

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

618 447.303 Membership dues; deduction and collection.—

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

629 (2) (a) Upon the written authorization of a public employee  
630 in a public safety unit, the public employer must engage in  
631 membership dues deduction for such public employee. A public  
632 employee may revoke his or her authorization for membership dues  
633 deduction upon providing 30 days' written notice to the public  
634 employer and bargaining agent ~~An employee organization that has~~  
635 ~~been certified as a bargaining agent to represent a bargaining~~  
636 ~~unit the majority of whose employees eligible for representation~~  
637 ~~are employed as law enforcement officers, correctional officers,~~  
638 ~~or correctional probation officers as those terms are defined in~~

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

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

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

659 Section 10. Section 447.305, Florida Statutes, is amended  
660 to read:

661 447.305 Registration of employee organizations  
662 ~~organization.~~—

663 (1) Every employee organization seeking to become a  
664 ~~certified bargaining agent for public employees shall register~~  
665 ~~with the commission before pursuant to the procedures set forth~~  
666 ~~in s. 120.60 prior to requesting recognition by a public~~  
667 ~~employer for purposes of collective bargaining and prior to~~

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668 submitting a certification, recertification, or unit  
669 clarification petition to the commission requesting  
670 certification as an exclusive bargaining agent. Further, If an  
671 such employee organization is not registered, it may not  
672 participate in a certification, recertification, or unit  
673 clarification representation hearing; or participate in a  
674 certification or recertification representation election; or be  
675 certified as a an exclusive bargaining agent. The application  
676 for registration required by this section must shall be under  
677 oath, and in such form as the commission may prescribe, and  
678 shall include all of the following:

679 (a) The name and address of the organization and of any  
680 parent organization or affiliate of the employee organization  
681 ~~with which it is affiliated~~.

682 (b) The names and addresses of the principal officers and  
683 all representatives of the organization.

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

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

690 (e) The name of its business agent, if any; if different  
691 from the business agent, the name of its local agent for service  
692 of process; and the addresses where such person or persons can  
693 be reached.

694 (f) A pledge, in a form prescribed by the commission, that  
695 the employee organization will conform to the laws of this the  
696 state and that it will accept members without regard to age,

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697 race, sex, religion, or national origin.

698 (g) A copy of the current constitution and bylaws of the  
699 employee organization.

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

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

724 (a) Assets and liabilities at the beginning and end of the  
725 fiscal year.<sup>7</sup>

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

(c) Disbursements by category.~~r~~

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

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

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

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

(3) As part of its application for renewal of registration,

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

762 (a) For each bargaining unit for which the bargaining agent  
763 is certified, the certification number assigned to the  
764 bargaining unit by the commission.

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

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

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

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

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

779 ~~(e) Verification Documentation provided by an independent~~  
780 ~~certified public accountant of retained by the employee~~  
781 ~~organization which verifies the information provided in~~  
782 ~~paragraphs (b), (c), and (d) (a)-(d).~~

783 (4) Within 30 days after filing an application for renewal

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784 of registration with the commission, the employee organization  
785 must provide a copy of its application ~~for renewal of~~  
786 ~~registration relating to a public employer's employees to the~~  
787 ~~public employer and public employees of each bargaining unit for~~  
788 ~~which the employee organization is the bargaining agent on the~~  
789 ~~same day the application is submitted to the commission.~~

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

804 (6) The commission must notify the bargaining agent when  
805 the information and verification required in subsection (3) is  
806 complete. Within 30 days after such notification, the bargaining  
807 agent must petition for recertification pursuant to s. 447.307  
808 for each of its bargaining units. Notwithstanding the provisions  
809 of this chapter relating to collective bargaining, an employee  
810 organization certified as a bargaining agent to represent a  
811 bargaining unit for which less than 60 percent of the public  
812 unit employees in the bargaining unit have submitted membership

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813 authorization forms without subsequent revocation and paid  
814 membership dues to the organization, as reported under  
815 subsection (3) during its last registration period must petition  
816 the commission pursuant to s. 447.307(2) and (3) for  
817 recertification as the exclusive representative of all employees  
818 in the bargaining unit within 30 days after the date on which  
819 the employee organization applies for renewal of registration  
820 pursuant to subsection (2). The certification of an employee  
821 organization that does not comply with this section is revoked.

822 (7) If a The public employer or a public employee of a  
823 bargaining unit represented by a bargaining agent believes that  
824 the bargaining agent's employee may challenge an employee  
825 organization's application for renewal of registration is  
826 materially inaccurate, if the public employer or public  
827 bargaining unit employee may challenge believes that the  
828 application as materially is inaccurate during the pendency of  
829 the application or, if the registration renewal has been  
830 granted, before the date upon which the bargaining agent's  
831 current registration is scheduled to end. If a challenge is  
832 filed, the commission or one of its designated agents must  
833 conduct an investigation pursuant to subsection (8) shall review  
834 the application to determine its accuracy and compliance with  
835 this section. If the commission finds that the application is  
836 inaccurate or does not comply with this section, the commission  
837 shall revoke the registration and certification of the employee  
838 organization.

839 (8) The commission or one of its designated agents may  
840 conduct an investigation to confirm the validity of any  
841 information submitted pursuant to this section. The commission

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842 may revoke or deny an employee organization's registration or  
843 certification if it finds that the employee organization:

844 (a) Failed to cooperate with the investigation conducted  
845 pursuant to this subsection, including refusal to permit the  
846 commission or one of its designated agents to inspect membership  
847 authorization forms or revocations pursuant to s.

848 447.301(1)(b)5.; or

849 (b) Intentionally misrepresented the information it  
850 submitted pursuant to this section.

851  
852 ~~A decision issued by the commission pursuant to this subsection~~  
853 ~~is a final agency action that is reviewable pursuant to s.~~  
854 447.504.

855 (9) An employee organization is exempt from the  
856 requirements of subsections (3)-(8) and (12) for each public  
857 safety unit it represents only with respect to the circumstances  
858 of each bargaining unit the majority of whose employees eligible  
859 for representation are employed as law enforcement officers,  
860 correctional officers, or correctional probation officers as  
861 those terms are defined in s. 943.10(1), (2), or (3),  
862 respectively; firefighters as defined in s. 633.102; 911 public  
863 safety telecommunicators as defined in s. 401.465(1)(a); or  
864 emergency medical technicians or paramedics as defined in s.  
865 401.23.

866 (10) A registration fee must shall accompany each  
867 application for registration or renewal of registration filed  
868 with the commission. The registration fee may amount charged for  
869 an application for registration or renewal of registration shall  
870 not exceed \$15. All such money collected by the commission shall

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871 be deposited in the General Revenue Fund.

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

886 (12) The certification of an employee organization that  
887 does not comply with this section is revoked. An employee  
888 organization that has its certification revoked under this  
889 subsection may not file a petition for certification under s.  
890 447.307 which covers any of the public employees in the  
891 bargaining unit described in the revoked certification for at  
892 least 12 months after the date the certification was revoked.

893 (13) A decision issued by the commission under this section  
894 which revokes a certification, revokes a registration, or  
895 grants, denies, or dismisses an application for registration or  
896 renewal of registration is a final agency action that is  
897 reviewable pursuant to s. 447.504.

898 Section 11. Section 447.307, Florida Statutes, is amended  
899 to read:

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900        447.307 Certification and recertification of employee  
901 organizations organization.-

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

926        (b) Whenever a public employer recognizes an employee  
927 organization on the basis of majority status and on the basis of  
928 appropriateness in accordance with subparagraph (4)(f)5., the

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929 commission shall, in the absence of inclusion of a prohibited  
930 category of employees or violation of s. 447.501, certify the  
931 proposed unit.

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

953 (c) The showing of interest is are confidential and exempt  
954 from the provisions of s. 119.07(1), except that any public  
955 employee, public employer, or employee organization having  
956 sufficient reason to believe that the showing of interest was  
957 any of the employee signatures were obtained by collusion,

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958 coercion, intimidation, or misrepresentation or is are otherwise  
959 invalid shall be given a reasonable opportunity to verify and  
960 challenge the showing of interest signatures appearing on the  
961 petition.

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

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

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

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

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

1001        (b)2. Identify the public employer or employers for  
1002 purposes of collective bargaining ~~with the bargaining agent~~.

1003        (c)3. Order an election by secret ballot, the cost of said  
1004 election and any required runoff election to be borne equally by  
1005 the parties, except as the commission may provide by rule. The  
1006 commission's order assessing costs of an election may be  
1007 enforced pursuant to ~~the provisions of~~ this part.

1008        (4)(a) Except as provided in paragraph (b), elections are  
1009 determined as follows for all certification or recertification  
1010 petitions filed on or after July 1, 2026:

1011        1.(b) If ~~When~~ an employee organization is selected by a  
1012 majority vote of the public employees who are in the bargaining  
1013 unit as of the date set by the commission voting in an election,  
1014 the commission shall certify or recertify the employee  
1015 organization as the exclusive collective bargaining agent for

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1016 the public representative of all employees in the unit.  
1017 2. A runoff election shall be held according to rules  
1018 adopted by the commission if, in the election conducted under  
1019 subparagraph 1., there was more than one employee organization  
1020 on the ballot, a majority of the public employees who are in the  
1021 bargaining unit as of the date set by the commission voted in  
1022 the election, and none of the choices on the ballot received a  
1023 majority vote of the public employees who are in the bargaining  
1024 unit as of the date set by the commission.

1025 (b) Certification elections involving public safety units  
1026 are determined as follows:

1027 1. If an employee organization is selected by a majority  
1028 vote of the public employees voting in the election, the  
1029 commission shall certify the employee organization as the  
1030 bargaining agent for the public employees in the bargaining  
1031 unit.

1032 2. A runoff election shall be held according to rules  
1033 adopted by the commission if, in the election conducted under  
1034 subparagraph 1., there was more than one employee organization  
1035 on the ballot and none of the choices on the ballot received a  
1036 majority vote of the public employees voting in the election.

1037 (c) Certification, recertification, or revocation under  
1038 this section is effective upon the issuance of a the final order  
1039 by the commission or, if the final order is appealed, at the  
1040 time the appeal is exhausted or any stay is vacated by the  
1041 commission or a the court.

1042 (e) In any election in which none of the choices on the  
1043 ballot receives the vote of a majority of the employees voting,  
1044 a runoff election shall be held according to rules promulgated

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1045 by the commission.

1046 (d) No petition may be filed seeking an election in any  
1047 proposed or existing appropriate bargaining unit to determine  
1048 the exclusive bargaining agent within 12 months after the date  
1049 of a commission order verifying a representation election or, if  
1050 an employee organization prevails, within 12 months after the  
1051 date of an effective certification covering any of the employees  
1052 in the proposed or existing bargaining unit. Furthermore, if a  
1053 valid collective bargaining agreement covering any of the  
1054 employees in a proposed unit is in effect, a petition for  
1055 certification may be filed with the commission only during the  
1056 period extending from 150 days to 90 days immediately preceding  
1057 the expiration date of that agreement, or at any time subsequent  
1058 to its expiration date but prior to the effective date of any  
1059 new agreement. The effective date of a collective bargaining  
1060 agreement means the date of ratification by both parties, if the  
1061 agreement becomes effective immediately or retroactively; or its  
1062 actual effective date, if the agreement becomes effective after  
1063 its ratification date.

1064 (5) (4) In defining a proposed bargaining unit, the  
1065 commission shall take into consideration:

1066 (a) The principles of efficient administration of  
1067 government.

1068 (b) The number of employee organizations with which the  
1069 employer might have to negotiate.

1070 (c) The compatibility of the unit with the joint  
1071 responsibilities of the public employer and public employees to  
1072 represent the public.

1073 (d) The power of the officials of government at the level

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1074 of the unit to agree, or make effective recommendations to  
1075 another administrative authority or to a legislative body, with  
1076 respect to matters of employment upon which the employee desires  
1077 to negotiate.

1078 (e) The organizational structure of the public employer.

1079 (f) Community of interest among the employees to be  
1080 included in the unit, considering:

1081 1. The manner in which wages and other terms of employment  
1082 are determined.

1083 2. The method by which jobs and salary classifications are  
1084 determined.

1085 3. The interdependence of jobs and interchange of  
1086 employees.

1087 4. The desires of the employees.

1088 5. The history of employee relations within the  
1089 organization of the public employer concerning organization and  
1090 negotiation and the interest of the employees and the employer  
1091 in the continuation of a traditional, workable, and accepted  
1092 negotiation relationship.

1093 (g) The statutory authority of the public employer to  
1094 administer a classification and pay plan.

1095 (h) Such other factors and policies as the commission may  
1096 deem appropriate.

1097

1098 However, a bargaining ~~no~~ unit may not ~~shall~~ be established or  
1099 approved for purposes of collective bargaining which includes  
1100 both professional and nonprofessional employees unless a  
1101 majority of each group votes for inclusion in such bargaining  
1102 unit.

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1103       Section 12. Section 447.3076, Florida Statutes, is created  
1104 to read:

1105       447.3076 Clarification of bargaining units.—

1106       (1) A petition to clarify the composition of a bargaining  
1107 unit may be filed with the commission when significant changes  
1108 in statutory law or case law require clarification of the  
1109 bargaining unit or when a classification was:

1110       (a) Created or substantially changed after the unit was  
1111 initially defined by the commission;

1112       (b) Retitled with no substantial change in job duties; or

1113       (c) Included or excluded through inadvertence or  
1114 misunderstanding by the commission.

1115       (2) A bargaining unit clarification petition may be filed  
1116 by the bargaining agent for the bargaining unit or by the public  
1117 employer of the public employees in the unit.

1118       (3) A copy of the petition must be served on the public  
1119 employer and any bargaining agent that is certified to represent  
1120 any employee or classification which may be substantially  
1121 affected by the proposed bargaining unit clarification.

1122       (4) If any substantially affected employees are not  
1123 represented by a bargaining agent, the public employer must  
1124 provide a copy of the petition to those employees within 10 days  
1125 after the filing of the petition.

1126       (5) When the clarification of a bargaining unit would  
1127 result in an increase in the size of the bargaining unit by more  
1128 than 25 percent, the unit clarification petition raises a  
1129 question concerning representation and must be dismissed.

1130       Section 13. Section 447.308, Florida Statutes, is amended  
1131 to read:

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1132        447.308 Decertification ~~Revocation of certification of~~  
1133 employee organizations ~~organization~~.-

1134        (1) A public ~~Any~~ employee or group of public employees ~~that~~  
1135 ~~which~~ no longer desires to be represented by ~~a~~ ~~the~~ certified  
1136 bargaining agent may file with the commission a petition to  
1137 decertify the bargaining agent ~~revoke certification~~. The  
1138 petition must ~~shall~~ be accompanied by a showing of interest from  
1139 ~~dated statements signed by~~ at least 30 percent of the public  
1140 employees in the bargaining unit, ~~indicating that such employees~~  
1141 ~~no longer desire to be represented for purposes of collective~~  
1142 bargaining by the certified bargaining agent. The time of filing  
1143 ~~said petition shall be governed by the provisions of s.~~

1144        ~~447.307(3)(d) relating to petitions for certification. The~~  
1145 ~~showing of interest statements must be signed and dated by the~~  
1146 ~~public employees not more than 12 months before the filing of~~  
1147 ~~the petition. Any employee, employer, or employee organization~~  
1148 ~~having sufficient reason to believe that the showing of interest~~  
1149 ~~was any of the employee signatures were obtained by collusion,~~  
1150 ~~coercion, intimidation, or misrepresentation or is are otherwise~~  
1151 ~~invalid shall be given a reasonable opportunity to verify and~~  
1152 ~~challenge the showing of interest signatures appearing on the~~  
1153 ~~petition.~~

1154        (2) (a) A decertification petition may not be filed  
1155 regarding the bargaining unit within 12 months after the date  
1156 the commission issues an order that verifies the results of a  
1157 certification, recertification, or decertification election  
1158 covering any of the public employees in the unit.

1159        (b) If a valid collective bargaining agreement covering any  
1160 of the public employees in the bargaining unit is in effect, a

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1161 decertification petition may only be filed with the commission  
1162 at least 90 but not more than 150 days immediately preceding the  
1163 expiration date of the collective bargaining agreement, or at  
1164 any time after such agreement's expiration date but before the  
1165 effective date of a new collective bargaining agreement. The  
1166 effective date of a collective bargaining agreement is the date  
1167 of ratification of such agreement by both parties if such  
1168 agreement becomes effective immediately or retroactively, or the  
1169 collective bargaining agreement's actual effective date if such  
1170 agreement becomes effective after its ratification date.

1171 (3) The commission or one of its designated agents shall  
1172 investigate the decertification petition to determine its  
1173 sufficiency. If the commission finds that the petition is to be  
1174 insufficient, the commission must ~~it may~~ dismiss the petition.  
1175 If the commission finds that the petition is sufficient, the  
1176 commission must ~~it shall immediately~~:

1177 (a) Identify the bargaining unit and determine which public  
1178 employees shall be qualified and entitled to vote in the  
1179 election held by the commission.

1180 (b) Identify the public employer or employers of the  
1181 bargaining unit.

1182 (c) Order an election by secret ballot, the cost of said  
1183 election to be borne equally by the parties, except as the  
1184 commission may provide by rule. The commission's order assessing  
1185 costs of an election may be enforced pursuant to ~~the provisions~~  
1186 ~~of~~ this part.

1187 (4) (a) Except as provided in paragraph (b), elections are  
1188 determined as follows for all decertification petitions filed on  
1189 or after July 1, 2026:

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1190       1. If decertification of the bargaining agent is selected  
1191       by a majority vote of the public employees who are in the  
1192       bargaining unit as of the date set by the commission, the  
1193       commission shall revoke the bargaining agent's certification for  
1194       that bargaining unit.

1195       2. If decertification is not selected by a majority vote of  
1196       the public employees who are in the bargaining unit as of the  
1197       date set by the commission, the bargaining agent shall retain  
1198       its certification for that bargaining unit.

1199       (b) Decertification elections involving public safety units  
1200       are determined as follows:

1201       1. (2) If decertification is selected by a majority vote of  
1202       the public employees voting in the such election vote against  
1203       the continuation of representation by the certified bargaining  
1204       agent, the commission shall revoke the certification of the  
1205       employee organization as the exclusive bargaining agent's  
1206       certification for that agent for the employees in the bargaining  
1207       unit shall be revoked.

1208       2. (3) If decertification is not selected by a majority vote  
1209       of the public employees voting in the such election do not vote  
1210       against the continuation of representation by the certified  
1211       bargaining agent, the bargaining agent shall retain its  
1212       certification for that bargaining of the employee organization  
1213       as the exclusive bargaining agent for the employees in the unit  
1214       shall be retained by the organization.

1215       (c) Revocation under this section is effective upon the  
1216       issuance of a final order by the commission or, if the final  
1217       order is appealed, at the time the appeal is exhausted or any  
1218       stay is vacated by the commission or a court.

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1219       Section 14. Section 447.309, Florida Statutes, is amended  
1220 to read:

1221       447.309 Collective bargaining; approval or rejection.—

1222       (1) After an employee organization has been certified as  
1223 the bargaining agent of a bargaining unit pursuant to ~~the~~  
1224 ~~provisions of this part, the bargaining agent for the~~  
1225 ~~organization and the chief executive officer of the appropriate~~  
1226 ~~public employer or employers, jointly, shall bargain~~  
1227 ~~collectively in the determination of the wages, hours, and terms~~  
1228 ~~and conditions of employment of the public employees within the~~  
1229 ~~bargaining unit. The chief executive officer or his or her~~  
1230 ~~representative and the bargaining agent or its representative~~  
1231 ~~shall meet at reasonable times and bargain in good faith. In~~  
1232 ~~conducting negotiations with the bargaining agent, the chief~~  
1233 ~~executive officer or his or her representative shall consult~~  
1234 ~~with, and attempt to represent the views of, the legislative~~  
1235 ~~body of the public employer. Any collective bargaining agreement~~  
1236 ~~reached by the negotiators shall be reduced to writing, and such~~  
1237 ~~agreement shall be signed by the chief executive officer and the~~  
1238 ~~bargaining agent. Any agreement signed by the chief executive~~  
1239 ~~officer and the bargaining agent is shall not be binding on the~~  
1240 ~~public employer until such agreement has been ratified by the~~  
1241 ~~public employer and the by public employees in ~~who are members~~~~  
1242 ~~of the bargaining unit, subject to subsection ~~the provisions of~~~~  
1243 ~~subsections (2) and (3).~~ However, with respect to statewide  
1244 ~~bargaining units, any agreement signed by the Governor and the~~  
1245 ~~bargaining agent for such a bargaining unit is shall not be~~  
1246 ~~binding until approved by the public employees in ~~who are~~~~  
1247 ~~members of the bargaining unit, subject to subsection ~~the~~~~

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1248 ~~provisions of subsections (2) and (3).~~

1249 (2) (a) Upon execution of the collective bargaining  
1250 agreement, the chief executive shall, in his or her annual  
1251 budget request or by other appropriate means, request the  
1252 legislative body to appropriate such amounts as shall be  
1253 sufficient to fund the provisions of the collective bargaining  
1254 agreement.

1255 (b) If the state is a party to a collective bargaining  
1256 agreement in which less than the requested amount is  
1257 appropriated by the Legislature, the collective bargaining  
1258 agreement shall be administered on the basis of the amounts  
1259 appropriated by the Legislature. The failure of the Legislature  
1260 to appropriate funds sufficient to fund the collective  
1261 bargaining agreement shall not constitute, or be evidence of,  
1262 any unfair labor practice. All collective bargaining agreements  
1263 entered into by the state are subject to the appropriations  
1264 powers of the Legislature, and the provisions of this section  
1265 shall not conflict with the exclusive authority of the  
1266 Legislature to appropriate funds.

1267 ~~(3) If any provision of a collective bargaining agreement~~  
1268 ~~is in conflict with any law, ordinance, rule, or regulation over~~  
1269 ~~which the chief executive officer has no amendatory power, the~~  
1270 ~~chief executive officer shall submit to the appropriate~~  
1271 ~~governmental body having amendatory power a proposed amendment~~  
1272 ~~to such law, ordinance, rule, or regulation. Unless and until~~  
1273 ~~such amendment is enacted or adopted and becomes effective, the~~  
1274 ~~conflicting provision of the collective bargaining agreement~~  
1275 ~~shall not become effective.~~

1276 (3) ~~(4)~~ If the agreement is not ratified by the public

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1277 employer or is not approved by a majority vote of the public  
1278 employees voting ~~in the unit~~, in accordance with procedures  
1279 adopted by the commission, the agreement shall be returned to  
1280 the chief executive officer and the bargaining agent ~~employee~~  
1281 ~~organization~~ for further negotiations.

1282 (4) ~~(5)~~ A ~~Any~~ collective bargaining agreement may ~~shall~~ not  
1283 provide for a term of existence of more than 3 years and must  
1284 ~~shall~~ contain all of the terms and conditions of employment  
1285 negotiated by the bargaining agent and the public employer and  
1286 all of the disputed impasse issues resolved by the legislative  
1287 body's action taken pursuant to s. 447.403 of the employees in  
1288 ~~the bargaining unit during such term except those terms and~~  
1289 ~~conditions provided for in applicable merit and civil service~~  
1290 ~~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  
1304 a vulnerable adult by a public employee under s. 415.1034, the  
1305 grievance may not be decided until such allegation ~~the abuse~~,

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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 ~~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  
1333 an impasse by providing written notification ~~shall be deemed to~~  
1334 ~~have occurred when one of the parties so declares in writing to~~

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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  
1362 the declaration of impasse. Within 2 business days after the  
1363 submission of the special magistrate's name, the commission must

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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  
1391 parties by any method of service that establishes proof of  
1392 ~~delivery registered mail, return receipt requested. Such~~

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1393 recommended decision must ~~shall~~ be discussed by the parties, and  
1394 each recommendation of the special magistrate is ~~shall~~ be deemed  
1395 approved by both parties unless specifically rejected by either  
1396 party by written notice filed with the commission within 20  
1397 calendar days, or 10 calendar days for an impasse declared  
1398 pursuant to s. 447.4095(2), after the date the party received  
1399 the special magistrate's recommended decision. The written  
1400 notice must ~~shall~~ include a statement of the cause for each  
1401 rejection and ~~shall~~ be served upon the other party at the same  
1402 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  
1420 ~~employee organization~~ shall submit its recommendations for  
1421 settling the disputed impasse issues to such legislative body

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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  
1449 ~~who are members of~~ the bargaining unit for ratification. For an  
1450 impasse declared pursuant to s. 447.4095(2), the chief executive

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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  
1478 ~~shall~~ include:

1479 (1) Comparison of the annual income of employment of the

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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  
1507 the impact of the financial urgency. If after a reasonable  
1508 period of negotiation, which ~~may~~ shall not exceed 14 calendar

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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) Salary increases appropriated by the Legislature are,  
1519 for purposes of this section, considered a financial urgency. In  
1520 the event of salary increases appropriated by the Legislature  
1521 which require modification of an agreement, the chief executive  
1522 officer or his or her representative and the bargaining agent or  
1523 its representative must meet within 15 calendar days after the  
1524 effective date of the appropriation to negotiate the impact of  
1525 the financial urgency. If, 30 calendar days after the effective  
1526 date of the appropriation, a dispute exists between the public  
1527 employer and the bargaining agent as to the impact of the  
1528 financial urgency, one of the parties must, within 2 business  
1529 days, declare an impasse in writing to the other party and to  
1530 the commission. The parties must then proceed to follow the  
1531 requirements under s. 447.403. An unfair labor practice charge  
1532 may not be filed during the 30-day period of negotiations or  
1533 while the parties are proceeding through the resulting impasse  
1534 process. This subsection does not apply to public employees in  
1535 public safety units.

1536 Section 19. Paragraphs (c) and (f) of subsection (1) and  
1537 subsection (2) of section 447.501, Florida Statutes, are

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1538 amended, and paragraph (g) is added to subsection (1) of that  
1539 section, to read:

1540 447.501 Unfair labor practices.—

1541 (1) Public employers or their agents or representatives are  
1542 prohibited from:

1543 (c) Refusing to bargain collectively, failing to bargain  
1544 collectively in good faith, or refusing to sign a final  
1545 agreement agreed upon with the ~~certified~~ bargaining agent for  
1546 the public employees in the bargaining unit.

1547 (f) Refusing to discuss grievances in good faith pursuant  
1548 to the terms of the collective bargaining agreement with either  
1549 the ~~certified~~ bargaining agent for the public employee or the  
1550 employee involved.

1551 (g) Failing to provide to any employee organization or any  
1552 petitioning public employee who is seeking to support, oppose,  
1553 or intervene in the certification, recertification, or  
1554 decertification of a bargaining agent equal access to the public  
1555 employer's facilities and its internal means of communication  
1556 for those purposes. The public employer must provide such equal  
1557 access from the date of the filing of a petition pursuant to s.  
1558 447.307 or s. 447.308 until the final resolution of the  
1559 petition.

1560 (2) An A ~~public~~ employee organization or anyone acting on  
1561 ~~in~~ its behalf or its officers, representatives, agents, or  
1562 members are prohibited from:

1563 (a) Interfering with, restraining, or coercing public  
1564 employees in the exercise of any rights guaranteed them under  
1565 this part or interfering with, restraining, or coercing  
1566 managerial employees by reason of their performance of job

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1567       duties or other activities undertaken in the interests of the  
1568       public employer.

1569       (b) Causing or attempting to cause a public employer to  
1570       discriminate against a public ~~an~~ employee because of such the  
1571       employee's membership or nonmembership in an employee  
1572       organization or attempting to cause the public employer to  
1573       violate ~~any of the provisions of~~ this part.

1574       (c) Refusing to bargain collectively or failing to bargain  
1575       collectively in good faith with a public employer.

1576       (d) Discriminating against a public ~~an~~ employee because he  
1577       or she has signed or filed an affidavit, a petition, or a  
1578       complaint or given any information or testimony in any  
1579       proceedings provided for in this part.

1580       (e) Participating in a strike against the public employer  
1581       by instigating or supporting, in any positive manner, a strike.  
1582       A person who violates ~~Any violation of~~ this paragraph is shall  
1583       subject ~~the violator~~ to the penalties provided in this part.

1584       (f) Instigating or advocating support, in any positive  
1585       manner, for an employee organization's activities from high  
1586       school or grade school students or students in institutions of  
1587       higher learning.

1588       Section 20. Subsection (1) of section 447.503, Florida  
1589       Statutes, is amended to read:

1590       447.503 Charges of unfair labor practices.—It is the intent  
1591       of the Legislature that the commission act as expeditiously as  
1592       possible to settle disputes regarding alleged unfair labor  
1593       practices. To this end, violations of the provisions of s.  
1594       447.501 shall be remedied by the commission in accordance with  
1595       the following procedures and in accordance with chapter 120;

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1596 however, to the extent that chapter 120 is inconsistent with the  
1597 provisions of this section, the procedures contained in this  
1598 section shall govern:

1599 (1) A proceeding to remedy a violation of ~~the provisions of~~  
1600 s. 447.501 must ~~shall~~ be initiated by the filing of a charge  
1601 with the commission by a public an employer, a public employee,  
1602 or an employee organization, or any combination thereof, whose  
1603 substantial interests will be affected as referenced in chapter  
1604 120. Such a charge must ~~shall~~ contain a clear and concise  
1605 statement of facts constituting the alleged unfair labor  
1606 practice, including the names of all individuals involved in the  
1607 alleged unfair labor practice, and include specific reference to  
1608 the provisions of s. 447.501 alleged to have been violated, and  
1609 such other relevant information as the commission may by rule  
1610 require or allow. Service of the charge must ~~shall~~ be made upon  
1611 each named respondent at the time of filing with the commission.  
1612 The charge must be accompanied by sworn statements and  
1613 documentary evidence sufficient to establish a prima facie  
1614 violation of the applicable unfair labor practice provision.  
1615 Such supporting evidence is not to be attached to the charge and  
1616 is to be furnished only to the commission.

1617 Section 21. Subsections (2) through (5) and paragraph (a)  
1618 of subsection (6) of section 447.507, Florida Statutes, are  
1619 amended to read:

1620 447.507 Violation of strike prohibition; penalties.—

1621 (2) If a public employee, a group of public employees, an  
1622 employee organization, or any officer, agent, or representative  
1623 of any employee organization engages in a strike in violation of  
1624 s. 447.505, either the commission or any public employer whose

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1625 public employees are involved or whose public employees may be  
1626 affected by the strike may file suit to enjoin the strike in the  
1627 circuit court having proper jurisdiction and proper venue of  
1628 such actions under the Florida Rules of Civil Procedure and  
1629 Florida Statutes. The circuit court shall conduct a hearing,  
1630 with notice to the commission and to all interested parties, at  
1631 the earliest practicable time. If the plaintiff makes a prima  
1632 facie showing that a violation of s. 447.505 is in progress or  
1633 that there is a clear, real, and present danger that such a  
1634 strike is about to commence, the circuit court must ~~shall~~ issue  
1635 a temporary injunction enjoining the strike. Upon final hearing,  
1636 the circuit court shall either make the injunction permanent or  
1637 dissolve it.

1638 (3) If an injunction to enjoin a strike issued pursuant to  
1639 this section is not promptly complied with, on the application  
1640 of the plaintiff, the circuit court shall immediately initiate  
1641 contempt proceedings against those who appear to be in  
1642 violation. An employee organization found to be in contempt of  
1643 court for violating an injunction against a strike shall be  
1644 fined an amount deemed appropriate by the court. In determining  
1645 the appropriate fine, the court shall objectively consider the  
1646 extent of lost services and the particular nature and position  
1647 of the public employee group in violation. A ~~In no event shall~~  
1648 ~~the~~ fine may not exceed \$30,000 ~~\$5,000~~. Each officer, agent, or  
1649 representative of an employee organization found to be in  
1650 contempt of court for violating an injunction against a strike  
1651 shall be fined at least \$300, but not more than \$600, not less  
1652 ~~than \$50 nor more than \$100~~ for each calendar day that the  
1653 violation is in progress.

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

(5) If the commission, after a hearing on notice conducted according to rules adopted promulgated by the commission, determines that a public ~~an~~ employee has violated s. 447.505, it may order the termination of such employee's ~~his or her~~ employment by the public employer. Notwithstanding any other provision of law, a person knowingly violating s. 447.505 ~~the provision of said section~~ may, subsequent to such violation, be

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1683 appointed, reappointed, employed, or reemployed as a public  
1684 employee, but only upon the following conditions:

1685 (a) Such person shall be on probation for ~~a period of~~ 18  
1686 months after following his or her appointment, reappointment,  
1687 employment, or reemployment, during which period he or she shall  
1688 serve without permanent status and at the pleasure of the agency  
1689 head.

1690 (b) His or her compensation may not in no event exceed the  
1691 compensation that received immediately before prior to the time  
1692 of the violation.

1693 (c) The compensation of the person may not be increased  
1694 until at least after the expiration of 1 year after from such  
1695 appointment, reappointment, employment, or reemployment.

1696 (6) (a) If the commission determines that an employee  
1697 organization has violated s. 447.505, it may:

1698 1. Issue cease and desist orders as necessary to ensure  
1699 compliance with its order.

1700 2. Suspend or revoke the certification of the ~~employee~~  
1701 ~~organization as the~~ bargaining agent of such bargaining employee  
1702 unit.

1703 3. Revoke any requirement of the public employer to engage  
1704 in membership the right of dues deduction for the and collection  
1705 previously granted to said employee organization pursuant to s.  
1706 447.303.

1707 4. Fine the organization up to \$120,000 ~~\$20,000~~ for each  
1708 calendar day of such violation or determine the approximate cost  
1709 to the public due to each calendar day of the strike and fine  
1710 the organization an amount equal to such cost, regardless of  
1711 whether the fine exceeds \$120,000, notwithstanding the fact that

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1712 the fine may exceed \$20,000 for each such calendar day. The  
1713 fines so collected shall immediately accrue to the public  
1714 employer and must shall be used by the public employer him or  
1715 her to replace those services denied the public as a result of  
1716 the strike. In determining the amount of damages, if any, to be  
1717 awarded to the public employer, the commission must consider  
1718 shall take into consideration any action or inaction by the  
1719 public employer or its agents that provoked, or tended to  
1720 provoke, the strike by the public employees.

1721 Section 22. Present subsection (3) of section 447.509,  
1722 Florida Statutes, is redesignated as subsection (6), and a new  
1723 subsection (3) and subsections (4) and (5) are added to that  
1724 section, to read:

1725 447.509 Other unlawful acts; exceptions.—

1726 (3) Public employers, their agents or representatives, or  
1727 any persons acting on their behalf may not provide any form of  
1728 compensation or paid leave to a public employee, directly or  
1729 indirectly, for the purpose of engaging in employee organization  
1730 activities.

1731 (4) Notwithstanding subsection (3), if the public employer  
1732 and the bargaining agent agree, a public employee may do any of  
1733 the following:

1734 (a) Be granted time off without pay or benefits to engage  
1735 in employee organization activities. An employee organization  
1736 may compensate a public employee for engaging in employee  
1737 organization activities.

1738 (b) Use compensated personal leave, whether the leave is  
1739 the public employee's or is voluntarily donated by other public  
1740 employees in the bargaining unit, to engage in employee

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1741     organization activities if:

1742         1. The leave is accrued at the same rate by similarly  
1743         situated public employees in the bargaining unit without regard  
1744         to membership in or participation with an employee organization.

1745         2. The public employee may freely choose how to use the  
1746         leave.

1747             (c) Engage in representational employee organization  
1748         activities on behalf of the bargaining agent while in a duty  
1749         status without loss of pay or benefits.

1750             (5) Subsections (3) and (4) do not apply to public  
1751         employees in public safety units.

1752         Section 23. Subsection (3) of section 110.114, Florida  
1753         Statutes, is amended to read:

1754             110.114 Employee wage deductions.—

1755             (3) Notwithstanding the provisions of subsections (1) and  
1756         (2), the deduction of an employee's membership dues deductions  
1757         as defined in s. 447.203 s. 447.203(15) for an employee  
1758         organization as defined in s. 447.203(11) shall be authorized or  
1759         permitted only for an organization that has been certified  
1760         pursuant to chapter 447 as the exclusive bargaining agent  
1761         pursuant to chapter 447 for a unit of public state employees in  
1762         which the employee is included. Such deductions shall be subject  
1763         to the provisions of s. 447.303.

1764         Section 24. Paragraph (w) of subsection (2) of section  
1765         110.205, Florida Statutes, is amended to read:

1766             110.205 Career service; exemptions.—

1767             (2) EXEMPT POSITIONS.—The exempt positions that are not  
1768         covered by this part include the following:

1769             (w) Managerial employees and, as defined in s. 447.203(4),

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1770 confidential employees, as those terms are defined in s. 447.203  
1771 ~~s. 447.203(5)~~, and supervisory employees who spend the majority  
1772 of their time communicating with, motivating, training, and  
1773 evaluating employees, and planning and directing employees'  
1774 work, and who have the authority to hire, transfer, suspend, lay  
1775 off, recall, promote, discharge, assign, reward, or discipline  
1776 subordinate employees or effectively recommend such action,  
1777 including all employees serving as supervisors, administrators,  
1778 and directors. Excluded are employees also designated as special  
1779 risk or special risk administrative support and attorneys who  
1780 serve as administrative law judges pursuant to s. 120.65 or for  
1781 hearings conducted pursuant to s. 120.57(1)(a). Additionally,  
1782 registered nurses licensed under chapter 464, dentists licensed  
1783 under chapter 466, psychologists licensed under chapter 490 or  
1784 chapter 491, nutritionists or dietitians licensed under part X  
1785 of chapter 468, pharmacists licensed under chapter 465,  
1786 psychological specialists licensed under chapter 491, physical  
1787 therapists licensed under chapter 486, and speech therapists  
1788 licensed under part I of chapter 468 are excluded, unless  
1789 otherwise collectively bargained.

1790 Section 25. Subsection (6) of section 112.3187, Florida  
1791 Statutes, is amended to read:

1792 112.3187 Adverse action against employee for disclosing  
1793 information of specified nature prohibited; employee remedy and  
1794 relief.—

1795 (6) TO WHOM INFORMATION DISCLOSED.—The information  
1796 disclosed under this section must be disclosed to any agency or  
1797 federal government entity having the authority to investigate,  
1798 police, manage, or otherwise remedy the violation or act,

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1799 including, but not limited to, the Office of the Chief Inspector  
1800 General, an agency inspector general or the employee designated  
1801 as agency inspector general under s. 112.3189(1) or inspectors  
1802 general under s. 20.055, the Florida Commission on Human  
1803 Relations, and the whistle-blower's hotline created under s.  
1804 112.3189. However, for disclosures concerning a local  
1805 governmental entity, including any regional, county, or  
1806 municipal entity, special district, community college district,  
1807 or school district or any political subdivision of any of the  
1808 foregoing, the information must be disclosed to a chief  
1809 executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or  
1810 other appropriate local official.

1811 Section 26. Subsection (5) of section 121.031, Florida  
1812 Statutes, is amended to read:

1813 121.031 Administration of system; appropriation; oaths;  
1814 actuarial studies; public records.—

1815 (5) The names and addresses of retirees are confidential  
1816 and exempt from ~~the provisions of~~ s. 119.07(1) to the extent  
1817 that no state or local governmental agency may provide the names  
1818 or addresses of such persons in aggregate, compiled, or list  
1819 form to any person except to a public agency engaged in official  
1820 business. However, a state or local government agency may  
1821 provide the names and addresses of retirees from that agency to  
1822 a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to  
1823 a retiree organization for official business use. Lists of names  
1824 or addresses of retirees may be exchanged by public agencies,  
1825 but such lists shall not be provided to, or open for inspection  
1826 by, the public. Any person may view or copy any individual's  
1827 retirement records at the Department of Management Services, one

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1828 record at a time, or may obtain information by a separate  
1829 written request for a named individual for which information is  
1830 desired.

1831 Section 27. Subsection (1) of section 447.02, Florida  
1832 Statutes, is amended to read:

1833 447.02 Definitions.—The following terms, when used in this  
1834 chapter, shall have the meanings ascribed to them in this  
1835 section:

1836 (1) The term "labor organization" means any organization of  
1837 employees or local or subdivision thereof, having within its  
1838 membership residents of the state, whether incorporated or not,  
1839 organized for the purpose of dealing with employers concerning  
1840 hours of employment, rate of pay, working conditions, or  
1841 grievances of any kind relating to employment and recognized as  
1842 a unit of bargaining by one or more employers doing business in  
1843 this state, except that an "employee organization," as defined  
1844 in s. 447.203 ~~s. 447.203(11)~~, shall be included in this  
1845 definition at such time as it seeks to register pursuant to s.  
1846 447.305.

1847 Section 28. Section 447.609, Florida Statutes, is amended  
1848 to read:

1849 447.609 Representation in proceedings.—Any full-time  
1850 employee or officer of any public employer or employee  
1851 organization may represent his or her employer or any public  
1852 employee in member of a bargaining unit in any proceeding  
1853 authorized in this part, excluding the representation of any  
1854 person or public employer in a court of law by a person who is  
1855 not a licensed attorney.

1856 Section 29. Subsection (2) of section 1011.60, Florida

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1857 Statutes, is amended to read:

1858        1011.60 Minimum requirements of the Florida Education  
1859 Finance Program.—Each district which participates in the state  
1860 appropriations for the Florida Education Finance Program shall  
1861 provide evidence of its effort to maintain an adequate school  
1862 program throughout the district and shall meet at least the  
1863 following requirements:

1864        (2) MINIMUM TERM.—Operate all schools for a term of 180  
1865 actual teaching days or the equivalent on an hourly basis as  
1866 specified by rules of the State Board of Education each school  
1867 year. The State Board of Education may prescribe procedures for  
1868 altering, and, upon written application, may alter, this  
1869 requirement during a national, state, or local emergency as it  
1870 may apply to an individual school or schools in any district or  
1871 districts if, in the opinion of the board, it is not feasible to  
1872 make up lost days or hours, and the apportionment may, at the  
1873 discretion of the Commissioner of Education and if the board  
1874 determines that the reduction of school days or hours is caused  
1875 by the existence of a bona fide emergency, be reduced for such  
1876 district or districts in proportion to the decrease in the  
1877 length of term in any such school or schools. A strike, as  
1878 defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school  
1879 district may not be considered an emergency.

1880        Section 30. This act shall take effect July 1, 2026.