

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Persons-Mulicka offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:

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

110.227 Suspensions, dismissals, reductions in pay, demotions, layoffs, transfers, and grievances.-

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

(d) A recommended order must ~~shall~~ be issued by the hearing officer within 30 days after ~~following~~ the hearing. ~~Exceptions to the recommended order shall be filed within 15 days after the recommended order is issued.~~ The final order must

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17 be issued shall be filed by the commission in accordance with
18 ss. 120.569 and 120.57 ~~no later than 45 calendar days after the~~
19 ~~hearing or after the filing of exceptions or oral arguments if~~
20 ~~granted.~~

21 **Section 2. Paragraph (a) of subsection (14) of section**
22 **112.0455, Florida Statutes, is amended to read:**

23 112.0455 Drug-Free Workplace Act.—

24 (14) DISCIPLINE REMEDIES.—

25 (a) An executive branch employee who is disciplined or who
26 is a job applicant for another position and is not hired
27 pursuant to this section, may file an appeal with the Public
28 Employees Relations Commission. Any appeal must be filed within
29 30 calendar days after ~~of~~ receipt by the employee or job
30 applicant of notice of discipline or refusal to hire. The notice
31 shall inform the employee or job applicant of the right to file
32 an appeal, or if available, the right to file a collective
33 bargaining grievance pursuant to s. 447.401. Such appeals shall
34 be resolved pursuant to the procedures established in ss.
35 447.207(1)-(4), 447.208(2), and 447.503(4) and (5). A hearing on
36 the appeal shall be conducted within 60 ~~30~~ days after ~~of~~ the
37 filing of the appeal, unless an extension is requested by the
38 employee or job applicant and granted by the commission or an
39 arbitrator. The final order must be issued by the commission in
40 accordance with ss. 120.569 and 120.57.

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

43 120.80 Exceptions and special requirements; agencies.—

44 (12) PUBLIC EMPLOYEES RELATIONS COMMISSION.—

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

47 **Section 4. Subsection (1) of section 295.14, Florida**
48 **Statutes, is amended to read:**

49 295.14 Penalties.—

50 (1) When the Public Employees Relations Commission, after
51 a hearing on notice conducted according to rules adopted by the
52 commission, determines that a violation of s. 295.07, s. 295.08,
53 s. 295.085, or s. 295.09(1)(a) or (b) has occurred and sustains
54 the veteran seeking redress, the commission shall order the
55 offending agency, employee, or officer of the state to comply
56 with ~~the provisions of~~ s. 295.07, s. 295.08, s. 295.085, or s.
57 295.09(1)(a) or (b); and, in the event of a violation of s.
58 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b), the
59 commission may issue an order to compensate the veteran for the
60 loss of any wages and reasonable attorney ~~attorney's~~ fees for
61 actual hours worked, and costs of all work, including
62 litigation, incurred as a result of such violation, which order
63 shall be conclusive on the agency, employee, or officer
64 concerned. The attorney ~~attorney's~~ fees and costs may not exceed
65 \$10,000. The final order must be issued by ~~action of~~ the

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66 commission in accordance with ss. 120.569 and 120.57 ~~shall be in~~
67 ~~writing and shall be served on the parties concerned by~~
68 ~~certified mail with return receipt requested.~~

69 **Section 5. Section 447.203, Florida Statutes, is amended**
70 **to read:**

71 447.203 Definitions.—As used in this part:

72 (1) ~~(12)~~ "Bargaining agent" means the employee organization
73 that ~~which~~ has been certified by the commission as representing
74 the employees in the bargaining unit, as provided in s. 447.307,
75 or its representative.

76 (2) ~~(8)~~ "Bargaining unit" means either that unit determined
77 by the commission, that unit determined through local
78 regulations adopted ~~promulgated~~ pursuant to s. 447.603, or that
79 unit determined by the public employer and the public employee
80 organization and approved by the commission to be appropriate
81 for the purposes of collective bargaining. However, no
82 bargaining unit shall be defined as appropriate which includes
83 employees of two employers that are not departments or divisions
84 of the state, a county, a municipality, or other political
85 entity.

86 (3) ~~(9)~~ "Chief executive officer" for the state means ~~shall~~
87 ~~mean~~ the Governor and for other public employers means ~~shall~~
88 ~~mean~~ the person, whether elected or appointed, who is
89 responsible to the legislative body of the public employer for

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90 the administration of the governmental affairs of the public
91 employer.

92 ~~(4)-(16)~~ "Civil service" means any career, civil, or merit
93 system used by any public employer.

94 ~~(5)-(14)~~ "Collective bargaining" means the performance of
95 the mutual obligations of the public employer and the bargaining
96 agent of the employee organization to meet at reasonable times,
97 to negotiate in good faith, and to execute a written contract
98 with respect to agreements reached concerning the terms and
99 conditions of employment, except that neither party shall be
100 compelled to agree to a proposal or be required to make a
101 concession unless otherwise provided in this part.

102 ~~(6)-(1)~~ "Commission" means the Public Employees Relations
103 Commission created by s. 447.205.

104 ~~(7)-(5)~~ "Confidential employees" means ~~are~~ persons who act
105 in a confidential capacity to assist or aid managerial employees
106 as defined in subsection ~~(12)~~ ~~(4)~~.

107 ~~(8)-(11)~~ "Employee organization" or "organization" means
108 any labor organization, union, association, fraternal order,
109 occupational or professional society, or group, however
110 organized or constituted, which represents, or seeks to
111 represent, any public employee or group of public employees
112 concerning any matters relating to their employment relationship
113 with a public employer.

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114 (9) "Employee organization activities" means activities
115 undertaken at the direction of, on behalf of, or to advance the
116 purposes of an employee organization or any parent organization
117 or affiliate of the employee organization by doing any of the
118 following:

119 (a) Supporting or opposing a candidate for federal, state,
120 or local public office.

121 (b) Influencing the passage or defeat of any federal or
122 state legislation or regulation, local ordinance or resolution,
123 or ballot measure.

124 (c) Promoting or soliciting membership or participation
125 in, or financial support of, an employee organization or any
126 parent organization or affiliate of the employee organization.

127 (d) Seeking certification as a bargaining agent.

128 (e) Participating in the administration, business, or
129 internal governance of an employee organization or any parent
130 organization or affiliate of the employee organization.

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

135 (g) Distributing communications of an employee
136 organization or any parent organization or affiliate of the
137 employee organization.

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138 (h) Representing or speaking on behalf of an employee
139 organization or any parent organization or affiliate of the
140 employee organization in any setting, venue, or procedure in
141 which the public employer is not a participant.

142 (i) Preparing, filing, or pursuing unfair labor practice
143 charges or grievances.

144 (j) Representing public employees in investigatory
145 interviews; disciplinary proceedings or appeals, including
146 termination; or other administrative or legal proceedings.

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

149 (l) Administering a collective bargaining agreement.

150 (m) Participating in labor-management committees.

151 (10)-(17) "Good faith bargaining" means shall mean, but is
152 not be limited to, the willingness of both parties to meet at
153 reasonable times and places, as mutually agreed upon, in order
154 to discuss issues that which are proper subjects of bargaining,
155 with the intent of reaching a common accord. The term includes
156 It shall include an obligation for both parties to participate
157 actively in the negotiations with an open mind and a sincere
158 desire, as well as making a sincere effort, to resolve
159 differences and come to an agreement. In determining whether a
160 party failed to bargain in good faith, the commission shall
161 consider the total conduct of the parties during negotiations as
162 well as the specific incidents of alleged bad faith. Incidents

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163 indicative of bad faith shall include, but not be limited to,
164 the following occurrences:

165 (a) Failure to meet at reasonable times and places with
166 representatives of the other party for the purpose of
167 negotiations.

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

170 (c) Failure to discuss proper subjects of bargaining
171 ~~bargainable issues~~.

172 (d) Refusing, upon reasonable written request, to provide
173 public information, excluding work products as defined in s.
174 447.605.

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

177 (f) Negotiating directly with employees rather than with
178 their ~~certified~~ bargaining agent.

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

180 ~~(11)-(10)~~ (11) "Legislative body" means the State Legislature,
181 the board of county commissioners, the district school board,
182 the governing body of a municipality, or the governing body of
183 an instrumentality or unit of government having authority to
184 appropriate funds and establish policy governing the terms and
185 conditions of employment and which, as the case may be, is the
186 appropriate legislative body for the bargaining unit. For
187 purposes of s. 447.403, the Board of Governors of the State

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188 University System, or the board's designee, shall be deemed to
189 be the legislative body with respect to all employees of each
190 constituent state university. For purposes of s. 447.403, the
191 board of trustees of a community college shall be deemed to be
192 the legislative body with respect to all employees of the
193 community college.

194 ~~(12)(4)~~ "Managerial employees" means ~~are~~ those employees
195 who:

196 (a) Perform jobs that are not of a routine, clerical, or
197 ministerial nature and require the exercise of independent
198 judgment in the performance of such jobs and to whom one or more
199 of the following applies:

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

202 2. They may reasonably be required on behalf of the
203 employer to assist in the preparation for the conduct of
204 collective bargaining negotiations.

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

207 4. They have a significant role in personnel
208 administration.

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

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

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212 7. They have a significant role in the preparation or
213 administration of budgets for any public agency or institution
214 or subdivision thereof.

215 (b) Serve as police chiefs, fire chiefs, or directors of
216 public safety of any police, fire, or public safety department.
217 Other police officers, as defined in s. 943.10(1), and
218 firefighters, as defined in s. 633.102, may be determined by the
219 commission to be managerial employees of such departments. In
220 making such determinations, the commission shall consider, in
221 addition to the criteria established in paragraph (a), the
222 paramilitary organizational structure of the department
223 involved.

224
225 However, in determining whether an individual is a managerial
226 employee pursuant to paragraph (a) or paragraph (b), ~~above~~, the
227 commission may consider historic relationships of the employee
228 to the public employer and to coemployees.

229 (13) "Membership dues" means employee organization dues;
230 uniform assessments; fees, including initiation fees; or
231 voluntary contributions paid in exchange for membership in an
232 employee organization or as a member of the employee
233 organization.

234 (14)~~(15)~~ "Membership dues deduction" means the practice by
235 ~~of~~ a public employer of deducting membership dues ~~and uniform~~
236 ~~assessments~~ from the salary or wages of a public employee and.

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237 ~~Such term also means the practice of a public employer of~~
238 ~~transmitting the sums so deducted to an ~~such~~ employee~~
239 ~~organization on behalf of the public employee.~~

240 ~~(15)-(13)~~ "Professional employee" means:

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

243 1. Work predominantly intellectual and varied in character
244 as opposed to routine mental, manual, mechanical, or physical
245 work. ~~;~~

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

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

251 4. Work requiring advanced knowledge in a field of science
252 or learning customarily acquired by a prolonged course of
253 specialized intellectual instruction and study in an institution
254 of higher learning or a hospital, as distinguished from a
255 general academic education, an apprenticeship, or training in
256 the performance of routine mental or physical processes.

257 (b) Any employee who:

258 1. Has completed the course of specialized intellectual
259 instruction and study described in subparagraph (a)4. ~~4.~~ ~~of~~
260 ~~paragraph (a);~~ ~~and~~

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261 2. Is performing related work under supervision of a
262 professional person to qualify to become a professional employee
263 as defined in paragraph (a).

264 ~~(16)~~~~(3)~~ "Public employee" means any person employed by a
265 public employer except:

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

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

270 (c) Those individuals acting as negotiating
271 representatives for employer authorities.

272 (d) Those persons who are designated by the commission as
273 managerial or confidential employees pursuant to criteria
274 contained herein.

275 (e) Those persons holding positions of employment with the
276 Florida Legislature.

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

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

282 1. Federal license requirement.

283 2. Federal autonomy regarding investigation and
284 disciplining of appointees.

285 3. Frequent transfers due to harvesting conditions.

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286 (h) Those persons employed by the Public Employees
287 Relations Commission.

288 (i) Those persons enrolled as undergraduate students in a
289 state university who perform part-time work for the state
290 university.

291 ~~(17)(2)~~ "Public employer" or "employer" means the state or
292 any county, municipality, or special district or any subdivision
293 or agency thereof which the commission determines has sufficient
294 legal distinctiveness properly to carry out the functions of a
295 public employer. With respect to all public employees determined
296 by the commission as properly belonging to a statewide
297 bargaining unit composed of State Career Service System
298 employees or Selected Professional Service employees, the
299 Governor is deemed to be the public employer; and the Board of
300 Governors of the State University System, or the board's
301 designee, is deemed to be the public employer with respect to
302 all public employees of each constituent state university. The
303 board of trustees of a community college is deemed to be the
304 public employer with respect to all employees of the community
305 college. The district school board is deemed to be the public
306 employer with respect to all employees of the school district.
307 The Board of Trustees of the Florida School for the Deaf and the
308 Blind is deemed to be the public employer with respect to the
309 academic and academic administrative personnel of the Florida
310 School for the Deaf and the Blind. The Governor is deemed to be

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311 the public employer with respect to all employees in the
312 Correctional Education Program of the Department of Corrections
313 established pursuant to s. 944.801.

314 (18) "Public safety unit" means a bargaining unit in which
315 the majority of the public employees are employed as a law
316 enforcement officer, correctional officer, or correctional
317 probation officer, as those terms are defined in s. 943.10(1),
318 (2), or (3), respectively; a firefighter as defined in s.
319 633.102(9); a 911 public safety telecommunicator as defined in
320 s. 401.465(1); or an emergency medical technician or a
321 paramedic, as those terms are defined in s. 401.23.

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

324 (20) "Showing of interest" means written statements signed
325 and dated by public employees in a proposed or existing
326 bargaining unit indicating the desire of the public employees
327 either to be represented by the employee organization for
328 purposes of collective bargaining or to no longer be represented
329 by the bargaining agent for purposes of collective bargaining.

330 (21)-(6) "Strike" means the concerted failure of employees
331 to report for duty; the concerted absence of employees from
332 their positions; the concerted stoppage of work by employees;
333 the concerted submission of resignations by employees; the
334 concerted abstinence in whole or in part by any group of
335 employees from the full and faithful performance of the duties

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336 of employment with a public employer for the purpose of
337 inducing, influencing, condoning, or coercing a change in the
338 terms and conditions of employment or the rights, privileges, or
339 obligations of public employment, or participating in a
340 deliberate and concerted course of conduct which adversely
341 affects the services of the public employer; the concerted
342 failure of employees to report for work after the expiration of
343 a collective bargaining agreement; and picketing in furtherance
344 of a work stoppage. The term includes ~~"strike" shall also mean~~
345 any overt preparation, including, but not limited to, the
346 establishment of strike funds with regard to the ~~above-listed~~
347 activities listed in this subsection.

348 ~~(22)-(7)~~ "Strike funds" means ~~are~~ any appropriations by an
349 employee organization which are established to directly or
350 indirectly aid any employee or employee organization to
351 participate in a strike in the state.

352 (23) (18) "Student representative" means the representative
353 selected by each community college or university student
354 government association. Each representative may be present at
355 all negotiating sessions that take place between the appropriate
356 public employer and a ~~an exclusive~~ bargaining agent. The
357 representative must be enrolled as a student with at least 8
358 credit hours in the respective community college or university
359 during his or her term as student representative.

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360 **Section 6. Subsection (8) of section 447.205, Florida**
361 **Statutes, is amended to read:**

362 447.205 Public Employees Relations Commission.—

363 (8) The commission shall have a seal for authentication of
364 its orders and proceedings, upon which shall be inscribed the
365 words "State of Florida—Public Employees Relations Commission"
366 ~~"State of Florida—Employees Relations Commission"~~ and which shall
367 be judicially noticed.

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

370 447.207 Commission; powers and duties.—

371 (1) The commission shall, in accordance with chapter 120,
372 adopt, promulgate, amend, or rescind such rules and regulations
373 as it deems necessary and administratively feasible to carry out
374 the provisions of this part. Any additional grants of rulemaking
375 authority contained in this part do not limit the grant of
376 rulemaking authority in this section.

377 (4) Any subpoena, ~~notice of hearing, or other process or~~
378 ~~notice of the commission~~ issued under the provisions of this
379 part must either shall be served personally or by certified
380 mail, return receipt requested, or be served personally by any
381 person specified by law to serve process or by any person who is
382 not a party and who is 18 years of age or older. When certified
383 mail is used, a returned post office receipt constitutes proof
384 of service. When personal service is used, if the subpoena is

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385 not served by a person specified by law to serve process, an
386 affidavit of the person making service constitutes proof of
387 service. A return made and verified by the individual making
388 such service and setting forth the manner of such service is
389 proof of service, and a returned post office receipt, when
390 certified mail is used, is proof of service. All process of any
391 court to which application may be made under the provisions of
392 this part shall be served in the county wherein the persons
393 required to be served reside or may be found.

394 (5) The commission shall adopt rules as to the
395 qualifications of persons who may serve as ~~mediators and~~ special
396 magistrates and shall maintain a list ~~lists~~ of such qualified
397 persons who are not employees of the commission. The commission
398 may initiate dispute resolution procedures by special
399 magistrates, pursuant to ~~the provisions of~~ this part.

400 (6) Pursuant to its established procedures, the commission
401 shall resolve questions and controversies concerning claims for
402 recognition as the bargaining agent for a bargaining unit,
403 determine or approve units appropriate for purposes of
404 collective bargaining, expeditiously process charges of unfair
405 labor practices and violations of s. 447.505 by public
406 employees, and resolve such other questions and controversies as
407 it may be authorized herein to undertake. The petitioner,
408 charging party, respondent, and any intervenors shall be the
409 adversary parties before the commission in any adjudicatory

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410 proceeding conducted pursuant to this part. Any commission
411 statement of general applicability that implements, interprets,
412 or prescribes law or policy, made in the course of adjudicating
413 a case ~~pursuant to s. 447.307 or s. 447.503~~ shall not constitute
414 a rule within the meaning of s. 120.52.

415 (12) Upon a petition by a public employer after it has
416 been notified by the Department of Labor that the public
417 employer's protective arrangement covering mass transit
418 employees does not meet the requirements of 49 U.S.C. s. 5333(b)
419 and would jeopardize the public employer's continued eligibility
420 to receive Federal Transit Administration funding, the
421 commission may waive the application of this part, but only to
422 the extent necessary for the public employer to comply with ~~the~~
423 ~~requirements of 49 U.S.C. s. 5333(b), any of the following for~~
424 ~~an employee organization that has been certified as a bargaining~~
425 ~~agent to represent mass transit employees:~~

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

431 ~~(b) The requirement to petition the commission for~~
432 ~~recertification.~~

433 ~~(c) The revocation of certification provided in s.~~
434 ~~447.305(6) and (7).~~

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

437 447.301 Public employees' rights; organization and
438 representation.—

439 (1)

440 (b)1. A public employee who desires to be a member of an
441 employee organization must sign and date a membership
442 authorization form, as prescribed by the commission, and submit
443 the executed form to the bargaining agent.

444 2. The membership authorization form must identify the
445 name of the bargaining agent; the name of the employee; the
446 class code and class title of the employee; the name of the
447 public employer and employing agency, if applicable; the amount
448 of the membership initiation fee and of the monthly dues which
449 the public employee member must pay; and the names name and
450 amounts total amount of salary, allowances, and other direct or
451 indirect disbursements, including reimbursements, paid to each
452 of the five highest compensated officers and employees of the
453 employee organization disclosed under s. 447.305(2)(d) for the
454 officers and employees receiving the five highest total dollar
455 amounts.

456 3. The membership authorization form must contain the
457 following statement in 14-point type:
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459 As a public employee in the State of Florida, ~~is a right to work~~
460 ~~state.~~ membership or nonmembership ~~non-membership~~ in a labor
461 union is not required as a condition of employment. ~~and~~ Union
462 membership and payment of membership ~~union~~ dues ~~and assessments~~
463 are voluntary. A public employee's ~~Each person has the right to~~
464 join and pay membership dues to a labor union or to refrain from
465 joining and paying membership dues to a labor union is protected
466 by both Florida's right-to-work law and the First Amendment of
467 the United States Constitution. A public employer may not
468 discriminate against a public ~~No employee may be discriminated~~
469 ~~against in any manner~~ for joining and financially supporting, a
470 ~~labor union~~ or ~~for~~ refusing to join and ~~or~~ financially support,
471 a labor union.

472 4. A public employee may revoke membership in the employee
473 organization at any time ~~of the year.~~ Within 30 days after ~~Upon~~
474 receipt of the public employee's written revocation of
475 membership, the employee organization must revoke the ~~a~~ public
476 employee's membership and cease collection of membership dues
477 for such public employee. The employee organization may not
478 limit a public ~~an~~ employee's right to revoke membership to
479 certain dates. If a public employee must complete a form to
480 revoke membership in the employee organization, the form may not
481 require a reason for the public employee's decision to revoke
482 his or her membership.

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483 5. An employee organization must retain for inspection by
484 the commission such membership authorization forms and any
485 revocations. A membership authorization form is valid if it
486 meets the requirements in law at the time it was signed by the
487 employee and if the employee's membership has not been
488 subsequently revoked.

489 6. This paragraph does not apply to public employees in
490 public safety units ~~members of a bargaining unit the majority of~~
491 ~~whose employees eligible for representation are employed as law~~
492 ~~enforcement officers, correctional officers, or correctional~~
493 ~~probation officers as those terms are defined in s. 943.10(1),~~
494 ~~(2), or (3), respectively; firefighters as defined in s.~~
495 ~~633.102; 911 public safety telecommunicators as defined in s.~~
496 ~~401.465(1)(a); or emergency medical technicians or paramedics as~~
497 ~~defined in s. 401.23.~~

498 7. The commission may adopt rules to implement this
499 paragraph.

500 (2) Public employees ~~shall~~ have the right to be
501 represented by any employee organization of their own choosing
502 and to negotiate collectively, through a ~~certified~~ bargaining
503 agent, with their public employer in the determination of the
504 terms and conditions of their employment. Public employees ~~shall~~
505 have the right to be represented in the determination of
506 grievances on all terms and conditions of their employment.

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507 Public employees ~~shall~~ have the right to refrain from exercising
508 the right to be represented.

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

511 447.303 Membership dues; deduction and collection.—

512 (1) Except as authorized in subsection (2) or subject to a
513 waiver of the prohibition on membership dues deduction granted
514 pursuant to s. 447.207(12), a public employer may not engage in
515 membership dues deduction on behalf of s. 447.207(12)(a), an
516 employee organization ~~that has been certified as a bargaining~~
517 ~~agent may not have its dues and uniform assessments deducted and~~
518 ~~collected by the employer from the salaries of those employees~~
519 ~~in the unit.~~ A public employee may pay membership dues and
520 uniform assessments directly to the employee organization, any
521 parent organization of the employee organization, and any
522 affiliate of either the employee organization or the parent
523 organization ~~that has been certified as the bargaining agent.~~

524 (2) (a) Upon the written authorization of a public employee
525 in a public safety unit, the public employer must engage in
526 membership dues deduction for such public employee. A public
527 employee may revoke his or her authorization for membership dues
528 deduction upon providing 30 days' written notice to the public
529 employer and bargaining agent ~~An employee organization that has~~
530 ~~been certified as a bargaining agent to represent a bargaining~~
531 ~~unit the majority of whose employees eligible for representation~~

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532 ~~are employed as law enforcement officers, correctional officers,~~
533 ~~or correctional probation officers as those terms are defined in~~
534 ~~s. 943.10(1), (2), or (3), respectively; firefighters as defined~~
535 ~~in s. 633.102; 911 public safety telecommunicators as defined in~~
536 ~~s. 401.465(1)(a); or emergency medical technicians or paramedics~~
537 ~~as defined in s. 401.23 has the right to have its dues and~~
538 ~~uniform assessments for that bargaining unit deducted and~~
539 ~~collected by the employer from the salaries of those employees~~
540 ~~who authorize the deduction and collection of said dues and~~
541 ~~uniform assessments. However, such authorization is revocable at~~
542 ~~the employee's request upon 30 days' written notice to the~~
543 ~~employer and employee organization. Said deductions shall~~
544 ~~commence upon the bargaining agent's written request to the~~
545 ~~employer.~~

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

549 (c) The requirement to engage in membership dues
550 deductions ~~Such right to deduction,~~ unless revoked under s.
551 447.507, is in force as ~~for so~~ long as the ~~employee organization~~
552 ~~remains the certified~~ bargaining agent remains certified to
553 represent ~~for~~ the public employees in the bargaining unit.

554 **Section 10. Section 447.305, Florida Statutes, is amended**
555 **to read:**

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556 447.305 Registration of employee organizations
557 organization.—

558 (1) Every employee organization seeking to become a
559 ~~certified~~ bargaining agent for public employees shall register
560 with the commission before ~~pursuant to the procedures set forth~~
561 ~~in s. 120.60 prior to requesting recognition by a public~~
562 ~~employer for purposes of collective bargaining and prior to~~
563 submitting a certification, recertification, or unit
564 clarification petition ~~to the commission requesting~~
565 ~~certification as an exclusive bargaining agent. Further, If an~~
566 ~~such~~ employee organization is not registered, it may not do any
567 of the following: participate in a certification,
568 recertification, or unit clarification ~~representation hearing;~~
569 participate in a certification or recertification ~~representation~~
570 ~~election;~~ or be certified as a ~~an~~ exclusive bargaining agent.
571 The application for registration required by this section must
572 ~~shall~~ be under oath, and in such form as the commission may
573 prescribe, and shall include all of the following:

574 (a) The name and address of the organization and ~~of~~ any
575 parent organization or affiliate of the employee organization
576 ~~with which it is affiliated.~~

577 (b) The names and addresses of the principal officers and
578 all representatives of the organization.

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

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

585 (e) The name of its business agent, if any; if different
586 from the business agent, the name of its local agent for service
587 of process; and the addresses where such person or persons can
588 be reached.

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

593 (g) A copy of the current constitution and bylaws of the
594 employee organization.

595 (h) A copy of the current constitution and bylaws of the
596 state and national groups with which the employee organization
597 is affiliated or associated. In lieu of this provision, and upon
598 adoption of a rule by the commission, a state or national
599 affiliate or parent organization of any registering employee
600 ~~labor~~ organization may annually submit a copy of its current
601 constitution and bylaws.

602 (2) A registration granted to an employee organization
603 pursuant to this section runs for 1 year after ~~from~~ the date of

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604 issuance. A registration must be renewed annually by filing an
605 application for renewal under oath with the commission, which
606 application must reflect any changes in the information provided
607 to the commission in conjunction with the employee
608 organization's preceding application for registration or
609 previous renewal, whichever is applicable. Each application for
610 renewal of registration must include a current annual financial
611 statement, prepared by an independent certified public
612 accountant licensed under chapter 473 and signed by the employee
613 organization's president and treasurer or corresponding
614 principal officers, containing the following information in such
615 detail as may be necessary to accurately ~~to~~ disclose its
616 financial condition and operations for its preceding fiscal year
617 and in all of the following ~~such~~ categories as prescribed by the
618 commission ~~may prescribe~~:

619 (a) Assets and liabilities at the beginning and end of the
620 fiscal year. ~~†~~

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

622 (c) Disbursements by category. ~~†~~

623 (d) Salary, wages, fringe benefits, allowances, and other
624 direct or indirect disbursements, including reimbursed expenses,
625 paid or accruing to each of its officers ~~officer~~ and also to
626 each of its employees ~~employee~~ who, during such fiscal year,
627 received more than \$10,000 in the aggregate from such employee
628 organization and any parent organization of the ~~other~~ employee

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629 organization or any affiliate of either the employee
630 organization or the parent organization. This paragraph requires
631 reporting of any reimbursements paid by the employee
632 organization to a public employer for moneys paid by the public
633 employer to the employee organization's officers or employees.
634 ~~affiliated with it or with which it is affiliated or which is~~
635 ~~affiliated with the same national or international employee~~
636 ~~organization;~~

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

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

645 (g) The amount of membership dues retained by or
646 distributed to each of the following: the employee organization,
647 any parent organization of the employee organization, and any
648 affiliate of either the employee organization or the parent
649 organization.

650 (3) As part of its application for renewal of
651 registration, a ~~In addition to subsection (2), an employee~~
652 ~~organization that has been certified as the bargaining agent for~~
653 ~~public employees must include all of for each such certified~~

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654 ~~bargaining unit~~ the following information ~~and documentation~~ as
655 of the 30th day immediately preceding the date upon which its
656 current registration is scheduled to end ~~for any renewal of~~
657 ~~registration on or after October 1, 2023:~~

658 (a) For each bargaining unit for which the bargaining
659 agent is certified, the certification number assigned to the
660 bargaining unit by the commission.

661 (b)-(a) For each certification, the number of public
662 employees in the bargaining unit ~~who are eligible for~~
663 ~~representation by the employee organization.~~

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

667 (d)-(b) For each certification, the number of public
668 employees in the bargaining unit who have submitted signed
669 membership authorization forms without a subsequent revocation
670 of such membership.

671 ~~(c) The number of employees in the bargaining unit who~~
672 ~~paid dues to the employee organization.~~

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

675 (e) An agreed-upon procedures report Documentation
676 provided performed by an independent certified public accountant
677 retained by the employee organization to assist in determining
678 the accuracy of which verifies the information provided in

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679 paragraphs (b), (c), and (d) ~~(a)-(d)~~. The agreed-upon procedures
680 must be conducted in accordance with attestation standards
681 established by the American Institute of Certified Public
682 Accountants.

683 (4) Within 30 days after filing an application for renewal
684 of registration with the commission, the employee organization
685 must provide a copy of its application ~~for renewal of~~
686 ~~registration relating to a public employer's employees~~ to the
687 public employer and public employees of each bargaining unit for
688 which the employee organization is the bargaining agent ~~on the~~
689 ~~same day the application is submitted to the commission.~~

690 (5) ~~An application for renewal of registration is~~
691 ~~incomplete and is not eligible for consideration by The~~
692 ~~commission~~ must notify the bargaining agent ~~if it does not~~
693 ~~include all of the information and documentation~~ required in
694 subsection (3) is incomplete. The bargaining agent must provide
695 the missing information to the commission within 30 days after
696 such notification. If the bargaining agent fails to provide the
697 missing information within 30 days after notification, the
698 commission must dismiss the application ~~The commission shall~~
699 ~~notify the employee organization if the application is~~
700 ~~incomplete. An incomplete application must be dismissed if the~~
701 ~~required information and documentation are not provided within~~
702 ~~10 days after the employee organization receives such notice.~~

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703 (6) The commission must notify the bargaining agent when
704 the information required in subsection (3) is complete. Within
705 30 days after such notification, the bargaining agent must
706 petition for recertification pursuant to s. 447.307 for each of
707 its bargaining units ~~Notwithstanding the provisions of this~~
708 ~~chapter relating to collective bargaining, an employee~~
709 ~~organization certified as a bargaining agent to represent a~~
710 ~~bargaining unit~~ for which less than 60 percent of the public
711 ~~unit~~ employees in the bargaining unit have submitted membership
712 authorization forms without subsequent revocation and paid
713 membership dues to the organization, as reported under
714 subsection (3) during its last registration period must petition
715 ~~the commission pursuant to s. 447.307(2) and (3) for~~
716 ~~recertification as the exclusive representative of all employees~~
717 ~~in the bargaining unit within 30 days after the date on which~~
718 ~~the employee organization applies for renewal of registration~~
719 ~~pursuant to subsection (2). The certification of an employee~~
720 ~~organization that does not comply with this section is revoked.~~

721 (7) If a ~~The~~ public employer or a public employee of a
722 bargaining unit represented by a bargaining agent believes that
723 the bargaining agent's employee may challenge an employee
724 organization's application for renewal of registration is
725 materially inaccurate, if the public employer or public
726 ~~bargaining unit~~ employee may challenge ~~believes that~~ the
727 application as materially is inaccurate during the pendency of

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728 the application or, if the registration renewal has been
729 granted, before the date upon which the bargaining agent's
730 current registration is scheduled to end. If a challenge is
731 filed, the commission or one of its designated agents must
732 conduct an investigation pursuant to subsection (8) shall review
733 ~~the application to determine its accuracy and compliance with~~
734 ~~this section. If the commission finds that the application is~~
735 ~~inaccurate or does not comply with this section, the commission~~
736 ~~shall revoke the registration and certification of the employee~~
737 ~~organization.~~

738 (8) The commission or one of its designated agents may
739 conduct an investigation to confirm the validity of any
740 information submitted pursuant to this section. The commission
741 may revoke or deny an employee organization's registration or
742 certification if it finds that the employee organization:

743 (a) Failed to cooperate with the investigation conducted
744 pursuant to this subsection, including refusal to permit the
745 commission or one of its designated agents to inspect membership
746 authorization forms or revocations pursuant to s.
747 447.301(1)(b)5.; or

748 (b) Intentionally misrepresented the information it
749 submitted pursuant to this section.

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751 ~~A decision issued by the commission pursuant to this subsection~~
752 ~~is a final agency action that is reviewable pursuant to s.~~
753 ~~447.504.~~

754 (9) An employee organization is exempt from the
755 requirements of subsections (3)-(8) and (12) for each public
756 safety unit it represents ~~only with respect to the circumstances~~
757 ~~of each bargaining unit the majority of whose employees eligible~~
758 ~~for representation are employed as law enforcement officers,~~
759 ~~correctional officers, or correctional probation officers as~~
760 ~~those terms are defined in s. 943.10(1), (2), or (3),~~
761 ~~respectively; firefighters as defined in s. 633.102; 911 public~~
762 ~~safety telecommunicators as defined in s. 401.465(1)(a); or~~
763 ~~emergency medical technicians or paramedics as defined in s.~~
764 ~~401.23.~~

765 (10) A registration fee must ~~shall~~ accompany each
766 application for registration or renewal of registration filed
767 with the commission. The registration fee may ~~amount charged for~~
768 ~~an application for registration or renewal of registration shall~~
769 not exceed \$15. All such money collected by the commission shall
770 be deposited in the General Revenue Fund.

771 (11) Every employee organization shall keep accurate
772 accounts of its income and expenses, which accounts must ~~shall~~
773 be open for inspection at a all reasonable time and place ~~times~~
774 by any member of the organization or by the commission. ~~In~~
775 ~~addition, each employee organization that has been certified as~~

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776 ~~a bargaining agent must provide to its members an annual~~
777 ~~financial report prepared by an independent certified public~~
778 ~~accountant licensed under chapter 473 that includes a detailed~~
779 ~~breakdown of revenues and expenditures in such categories as the~~
780 ~~commission may prescribe, and an accounting of membership dues~~
781 ~~and assessments. The employee organization must notify its~~
782 ~~members annually of all costs of membership.~~

783 (12) The certification of an employee organization that
784 does not comply with this section is revoked. An employee
785 organization that has its certification revoked under this
786 subsection may not file a petition for certification under s.
787 447.307 which covers any of the public employees in the
788 bargaining unit described in the revoked certification for at
789 least 12 months after the date the certification was revoked.

790 (13) A decision issued by the commission under this
791 section which revokes a certification, revokes a registration,
792 or grants, denies, or dismisses an application for registration
793 or renewal of registration is a final agency action that is
794 reviewable pursuant to s. 447.504.

795 **Section 11. Section 447.307, Florida Statutes, is amended**
796 **to read:**

797 447.307 Certification and recertification of employee
798 organizations ~~organization.~~

799 (1) (a) An Any employee organization seeking certification
800 or recertification as a bargaining agent must file a petition

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801 with the commission accompanied by a showing of interest from at
802 least 30 percent of the public employees in the proposed or
803 existing bargaining unit. The showing of interest statements
804 must be signed and dated by the public employees not more than
805 12 months before the filing of the petition ~~which is designated~~
806 ~~or selected by a majority of public employees in an appropriate~~
807 ~~unit as their representative for purposes of collective~~
808 ~~bargaining shall request recognition by the public employer. The~~
809 ~~public employer shall, if satisfied as to the majority status of~~
810 ~~the employee organization and the appropriateness of the~~
811 ~~proposed unit, recognize the employee organization as the~~
812 ~~collective bargaining representative of employees in the~~
813 ~~designated unit. Upon recognition by a public employer, the~~
814 ~~employee organization shall immediately petition the commission~~
815 ~~for certification. The commission shall review only the~~
816 ~~appropriateness of the unit proposed by the employee~~
817 ~~organization. If the unit is appropriate according to the~~
818 ~~criteria used in this part, the commission shall immediately~~
819 ~~certify the employee organization as the exclusive~~
820 ~~representative of all employees in the unit. If the unit is~~
821 ~~inappropriate according to the criteria used in this part, the~~
822 ~~commission may dismiss the petition.~~

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

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826 ~~commission shall, in the absence of inclusion of a prohibited~~
827 ~~category of employees or violation of s. 447.501, certify the~~
828 ~~proposed unit.~~

829 ~~(b)(2) A If the public employer refuses to recognize the~~
830 ~~employee organization, the employee organization may file a~~
831 ~~petition with the commission for certification as the bargaining~~
832 ~~agent for a proposed bargaining unit. The petition shall be~~
833 ~~accompanied by dated statements signed by at least 30 percent of~~
834 ~~the employees in the proposed unit, indicating that such~~
835 ~~employees desire to be represented for purposes of collective~~
836 ~~bargaining by the petitioning employee organization. Once a~~
837 ~~petition for certification has been filed by an employee~~
838 ~~organization, any registered employee organization desiring~~
839 ~~placement on the ballot in any certification or recertification~~
840 ~~election to be conducted pursuant to this section may be~~
841 ~~permitted by the commission to intervene in the proceeding upon~~
842 ~~a motion accompanied by a showing of interest from dated~~
843 ~~statements signed by at least 10 percent of the public employees~~
844 ~~in the proposed or existing bargaining unit, indicating that~~
845 ~~such employees desire to be represented for the purposes of~~
846 ~~collective bargaining by the moving employee organization. The~~
847 ~~showing of interest petitions and dated statements must be~~
848 ~~signed and dated by the public employees not more than 12 months~~
849 ~~before the filing of the petition.~~

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850 (c) The showing of interest is ~~are~~ confidential and exempt
851 from the provisions of s. 119.07(1), except that any public
852 employee, public employer, or employee organization having
853 sufficient reason to believe that the showing of interest was
854 any of the employee signatures were obtained by collusion,
855 coercion, intimidation, or misrepresentation or ~~is are~~ otherwise
856 invalid shall be given a reasonable opportunity to verify and
857 challenge the showing of interest signatures appearing on the
858 petition.

859 (d) Notwithstanding paragraph (b), if any employees in the
860 proposed unit are included in a bargaining unit for which there
861 is a bargaining agent currently certified by the commission,
862 such bargaining agent will be automatically added as a party to
863 the case and may appear on the ballot without being required to
864 file a motion to intervene or a showing of interest.

865 (2) (a) A certification petition may not be filed regarding
866 any proposed or existing bargaining unit within 12 months after
867 the date the commission issues an order that verifies the
868 results of a certification, recertification, or decertification
869 election covering any of the public employees in the proposed or
870 existing bargaining unit.

871 (b) If a valid collective bargaining agreement covering
872 any of the public employees in a proposed or existing bargaining
873 unit is in effect, a certification petition may only be filed
874 with the commission at least 90 but not more than 150 days

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875 immediately preceding the expiration date of the collective
876 bargaining agreement, or at any time subsequent to such
877 agreement's expiration date but before the effective date of a
878 new collective bargaining agreement. The effective date of a
879 collective bargaining agreement is the date of ratification of
880 such agreement by both parties if such agreement becomes
881 effective immediately or retroactively, or the collective
882 bargaining agreement's actual effective date if such agreement
883 becomes effective after its ratification date.

884 (3)~~(a)~~ The commission or one of its designated agents
885 shall investigate a certification or recertification ~~the~~
886 petition to determine its sufficiency; ~~if it has reasonable~~
887 ~~cause to believe that the petition is sufficient, the commission~~
888 ~~shall provide for an appropriate hearing upon due notice. Such a~~
889 ~~hearing may be conducted by an agent of the commission. If the~~
890 commission finds that the petition is ~~to be~~ insufficient, the
891 commission must ~~it may~~ dismiss the petition. If the commission
892 finds ~~upon the record of the hearing~~ that the petition is
893 sufficient, the commission must ~~it shall immediately~~:

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

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

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

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

908 1. ~~(b)~~ If ~~when~~ an employee organization is selected by a
909 majority vote of the public employees who are in the bargaining
910 unit as of the date set by the commission ~~voting in an election,~~
911 the commission shall certify or recertify the employee
912 organization as the ~~exclusive collective~~ bargaining agent for
913 the public representative of all employees in the unit.

914 2. A runoff election shall be held according to rules
915 adopted by the commission if, in the election conducted under
916 subparagraph 1., there was more than one employee organization
917 on the ballot, a majority of the public employees who are in the
918 bargaining unit as of the date set by the commission voted in
919 the election, and none of the choices on the ballot received a
920 majority vote of the public employees who are in the bargaining
921 unit as of the date set by the commission.

922 (b) Certification elections involving public safety units
923 are determined as follows:

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924 1. If an employee organization is selected by a majority
925 vote of the public employees voting in the election, the
926 commission shall certify the employee organization as the
927 bargaining agent for the public employees in the bargaining
928 unit.

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

934 (c) Certification, recertification, or revocation under
935 this section is effective upon the issuance of a the final order
936 by the commission or, if the final order is appealed, at the
937 time the appeal is exhausted or any stay is vacated by the
938 commission or a the court.

939 ~~(c) In any election in which none of the choices on the~~
940 ~~ballot receives the vote of a majority of the employees voting,~~
941 ~~a runoff election shall be held according to rules promulgated~~
942 ~~by the commission.~~

943 ~~(d) No petition may be filed seeking an election in any~~
944 ~~proposed or existing appropriate bargaining unit to determine~~
945 ~~the exclusive bargaining agent within 12 months after the date~~
946 ~~of a commission order verifying a representation election or, if~~
947 ~~an employee organization prevails, within 12 months after the~~
948 ~~date of an effective certification covering any of the employees~~

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949 ~~in the proposed or existing bargaining unit. Furthermore, if a~~
950 ~~valid collective bargaining agreement covering any of the~~
951 ~~employees in a proposed unit is in effect, a petition for~~
952 ~~certification may be filed with the commission only during the~~
953 ~~period extending from 150 days to 90 days immediately preceding~~
954 ~~the expiration date of that agreement, or at any time subsequent~~
955 ~~to its expiration date but prior to the effective date of any~~
956 ~~new agreement. The effective date of a collective bargaining~~
957 ~~agreement means the date of ratification by both parties, if the~~
958 ~~agreement becomes effective immediately or retroactively; or its~~
959 ~~actual effective date, if the agreement becomes effective after~~
960 ~~its ratification date.~~

961 (5)~~(4)~~ In defining a proposed bargaining unit, the
962 commission shall take into consideration:

963 (a) The principles of efficient administration of
964 government.

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

967 (c) The compatibility of the unit with the joint
968 responsibilities of the public employer and public employees to
969 represent the public.

970 (d) The power of the officials of government at the level
971 of the unit to agree, or make effective recommendations to
972 another administrative authority or to a legislative body, with

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973 respect to matters of employment upon which the employee desires
974 to negotiate.

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

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

978 1. The manner in which wages and other terms of employment
979 are determined.

980 2. The method by which jobs and salary classifications are
981 determined.

982 3. The interdependence of jobs and interchange of
983 employees.

984 4. The desires of the employees.

985 5. The history of employee relations within the
986 organization of the public employer concerning organization and
987 negotiation and the interest of the employees and the employer
988 in the continuation of a traditional, workable, and accepted
989 negotiation relationship.

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

992 (h) Such other factors and policies as the commission may
993 deem appropriate.

994

995 However, a bargaining ~~no~~ unit may not shall be established or
996 approved for purposes of collective bargaining which includes
997 both professional and nonprofessional employees unless a

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998 majority of each group votes for inclusion in such bargaining
999 unit.

1000 **Section 12. Section 447.3076, Florida Statutes, is created**
1001 **to read:**

1002 447.3076 Clarification of bargaining units.—

1003 (1) A petition to clarify the composition of a bargaining
1004 unit may be filed with the commission when significant changes
1005 in statutory law or case law require clarification of the
1006 bargaining unit or when a classification was:

1007 (a) Created or substantially changed after the unit was
1008 initially defined by the commission;

1009 (b) Retitled with no substantial change in job duties; or

1010 (c) Included or excluded through inadvertence or
1011 misunderstanding by the commission.

1012 (2) A bargaining unit clarification petition may be filed
1013 by the bargaining agent for the bargaining unit or by the public
1014 employer of the public employees in the unit.

1015 (3) A copy of the petition must be served on the public
1016 employer and any bargaining agent that is certified to represent
1017 any employee or classification which may be substantially
1018 affected by the proposed bargaining unit clarification.

1019 (4) If any substantially affected employees are not
1020 represented by a bargaining agent, the public employer must
1021 provide a copy of the petition to those employees within 10 days
1022 after the filing of the petition.

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1023 (5) When the clarification of a bargaining unit would
1024 result in an increase in the size of the bargaining unit by more
1025 than 25 percent, the unit clarification petition raises a
1026 question concerning representation and must be dismissed.

1027 **Section 13. Section 447.308, Florida Statutes, is amended**
1028 **to read:**

1029 447.308 Decertification ~~Revocation of certification of~~
1030 ~~employee organizations organization.-~~

1031 (1) A public ~~Any~~ employee or group of public employees
1032 that ~~which~~ no longer desires to be represented by a ~~the~~
1033 ~~certified~~ bargaining agent may file with the commission a
1034 petition to decertify the bargaining agent ~~revoke certification~~.
1035 The petition must ~~shall~~ be accompanied by a showing of interest
1036 from dated statements signed by at least 30 percent of the
1037 public employees in the bargaining unit, ~~indicating that such~~
1038 ~~employees no longer desire to be represented for purposes of~~
1039 ~~collective bargaining by the certified bargaining agent. The~~
1040 ~~time of filing said petition shall be governed by the provisions~~
1041 ~~of s. 447.307(3)(d) relating to petitions for certification. The~~
1042 showing of interest statements must be signed and dated by the
1043 public employees not more than 12 months before the filing of
1044 the petition. Any employee, employer, or employee organization
1045 having sufficient reason to believe that the showing of interest
1046 was any of the employee signatures were obtained by collusion,
1047 coercion, intimidation, or misrepresentation or is ~~are~~ otherwise

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1048 invalid shall be given a reasonable opportunity to verify and
1049 challenge the showing of interest ~~signatures appearing on the~~
1050 ~~petition.~~

1051 (2) (a) A decertification petition may not be filed
1052 regarding the bargaining unit within 12 months after the date
1053 the commission issues an order that verifies the results of a
1054 certification, recertification, or decertification election
1055 covering any of the public employees in the unit.

1056 (b) If a valid collective bargaining agreement covering
1057 any of the public employees in the bargaining unit is in effect,
1058 a decertification petition may only be filed with the commission
1059 at least 90 but not more than 150 days immediately preceding the
1060 expiration date of the collective bargaining agreement, or at
1061 any time after such agreement's expiration date but before the
1062 effective date of a new collective bargaining agreement. The
1063 effective date of a collective bargaining agreement is the date
1064 of ratification of such agreement by both parties if such
1065 agreement becomes effective immediately or retroactively, or the
1066 collective bargaining agreement's actual effective date if such
1067 agreement becomes effective after its ratification date.

1068 (3) The commission or one of its designated agents shall
1069 investigate the decertification petition to determine its
1070 sufficiency. If the commission finds that the petition is ~~to be~~
1071 insufficient, the commission must ~~it may~~ dismiss the petition.

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1072 If the commission finds that the petition is sufficient, the
1073 commission must ~~it shall immediately:~~

1074 (a) Identify the bargaining unit and determine which
1075 public employees shall be qualified and entitled to vote in the
1076 election held by the commission.

1077 (b) Identify the public employer or employers of the
1078 bargaining unit.

1079 (c) Order an election by secret ballot, the cost of said
1080 election to be borne equally by the parties, except as the
1081 commission may provide by rule. The commission's order assessing
1082 costs of an election may be enforced pursuant to ~~the provisions~~
1083 ~~of~~ this part.

1084 (4) (a) Except as provided in paragraph (b), elections are
1085 determined as follows for all decertification petitions filed on
1086 or after July 1, 2026:

1087 1. If decertification of the bargaining agent is selected
1088 by a majority vote of the public employees who are in the
1089 bargaining unit as of the date set by the commission, the
1090 commission shall revoke the bargaining agent's certification for
1091 that bargaining unit.

1092 2. If decertification is not selected by a majority vote
1093 of the public employees who are in the bargaining unit as of the
1094 date set by the commission, the bargaining agent shall retain
1095 its certification for that bargaining unit.

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1096 (b) Decertification elections involving public safety
1097 units are determined as follows:

1098 1.(2) If decertification is selected by a majority vote of
1099 the public employees voting in the such election ~~vote against~~
1100 the continuation of representation by the certified bargaining
1101 agent, the commission shall revoke the certification of the
1102 employee organization as the exclusive bargaining agent's
1103 certification for that agent for the employees in the bargaining
1104 unit shall be revoked.

1105 2.(3) If decertification is not selected by a majority
1106 vote of the public employees voting in the such election ~~do not~~
1107 vote against the continuation of representation by the certified
1108 bargaining agent, the bargaining agent shall retain its
1109 certification for that bargaining of the employee organization
1110 as the exclusive bargaining agent for the employees in the unit
1111 shall be retained by the organization.

1112 (c) Revocation under this section is effective upon the
1113 issuance of a final order by the commission or, if the final
1114 order is appealed, at the time the appeal is exhausted or any
1115 stay is vacated by the commission or a court.

1116 **Section 14. Section 447.309, Florida Statutes, is amended**
1117 **to read:**

1118 447.309 Collective bargaining; approval or rejection.—

1119 (1) After an employee organization has been certified as
1120 the bargaining agent of a bargaining unit pursuant to the

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1121 ~~provisions of this part, the bargaining agent for the~~
1122 ~~organization and the chief executive officer of the appropriate~~
1123 ~~public employer or employers, jointly, shall bargain~~
1124 ~~collectively in the determination of the wages, hours, and terms~~
1125 ~~and conditions of employment of the public employees within the~~
1126 ~~bargaining unit. The chief executive officer or his or her~~
1127 ~~representative and the bargaining agent or its representative~~
1128 ~~shall meet at reasonable times and bargain in good faith. In~~
1129 ~~conducting negotiations with the bargaining agent, the chief~~
1130 ~~executive officer or his or her representative shall consult~~
1131 ~~with, and attempt to represent the views of, the legislative~~
1132 ~~body of the public employer. Any collective bargaining agreement~~
1133 ~~reached by the negotiators shall be reduced to writing, and such~~
1134 ~~agreement shall be signed by the chief executive officer and the~~
1135 ~~bargaining agent. Any agreement signed by the chief executive~~
1136 ~~officer and the bargaining agent is ~~shall~~ not be binding on the~~
1137 ~~public employer until such agreement has been ratified by the~~
1138 ~~public employer and the ~~by~~ public employees in ~~who are members~~~~
1139 ~~of the bargaining unit, subject to subsection ~~the provisions of~~~~
1140 ~~subsections (2) and (3).~~ However, with respect to statewide
1141 bargaining units, any agreement signed by the Governor and the
1142 bargaining agent for such a bargaining unit is ~~shall~~ not be
1143 binding until approved by the public employees in ~~who are~~
1144 ~~members of~~ the bargaining unit, subject to subsection ~~the~~
1145 ~~provisions of subsections (2) and (3).~~

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1146 (2) (a) Upon execution of the collective bargaining
1147 agreement, the chief executive shall, in his or her annual
1148 budget request or by other appropriate means, request the
1149 legislative body to appropriate such amounts as shall be
1150 sufficient to fund the provisions of the collective bargaining
1151 agreement.

1152 (b) If the state is a party to a collective bargaining
1153 agreement in which less than the requested amount is
1154 appropriated by the Legislature, the collective bargaining
1155 agreement shall be administered on the basis of the amounts
1156 appropriated by the Legislature. The failure of the Legislature
1157 to appropriate funds sufficient to fund the collective
1158 bargaining agreement shall not constitute, or be evidence of,
1159 any unfair labor practice. All collective bargaining agreements
1160 entered into by the state are subject to the appropriations
1161 powers of the Legislature, and the provisions of this section
1162 shall not conflict with the exclusive authority of the
1163 Legislature to appropriate funds.

1164 ~~(3) If any provision of a collective bargaining agreement~~
1165 ~~is in conflict with any law, ordinance, rule, or regulation over~~
1166 ~~which the chief executive officer has no amendatory power, the~~
1167 ~~chief executive officer shall submit to the appropriate~~
1168 ~~governmental body having amendatory power a proposed amendment~~
1169 ~~to such law, ordinance, rule, or regulation. Unless and until~~
1170 ~~such amendment is enacted or adopted and becomes effective, the~~

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1171 ~~conflicting provision of the collective bargaining agreement~~
1172 ~~shall not become effective.~~

1173 ~~(3)-(4)~~ If the agreement is not ratified by the public
1174 employer or is not approved by a majority ~~vote~~ of the public
1175 ~~employees voting in the unit~~, in accordance with procedures
1176 adopted by the commission, the agreement shall be returned to
1177 the chief executive officer and the bargaining agent ~~employee~~
1178 ~~organization~~ for further negotiations.

1179 ~~(4)-(5)~~ A ~~Any~~ collective bargaining agreement may ~~shall~~ not
1180 provide for a term of existence of more than 3 years and must
1181 ~~shall~~ contain all of the terms and conditions of employment
1182 negotiated by the bargaining agent and the public employer and
1183 all of the disputed impasse issues resolved by the legislative
1184 body's action taken pursuant to s. 447.403 ~~of the employees in~~
1185 ~~the bargaining unit during such term except those terms and~~
1186 ~~conditions provided for in applicable merit and civil service~~
1187 ~~rules and regulations.~~

1188 **Section 15. Section 447.401, Florida Statutes, is amended**
1189 **to read:**

1190 447.401 Grievance procedures.—Each public employer and
1191 bargaining agent shall negotiate a grievance procedure to be
1192 used for the settlement of disputes between a public employer
1193 and a public employee, or a group of public employees, involving
1194 the interpretation or application of a collective bargaining
1195 agreement. The ~~Such~~ grievance procedure must ~~shall~~ have as its

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1196 terminal step a final and binding disposition by an impartial
1197 neutral, mutually selected by the parties; however, when the
1198 issue under appeal is an allegation of abuse, abandonment, or
1199 neglect of a child by a public ~~an~~ employee under s. 39.201 or an
1200 allegation of abuse, neglect, or exploitation of a vulnerable
1201 adult by a public employee under s. 415.1034, the grievance may
1202 not be decided until such allegation ~~the abuse, abandonment, or~~
1203 ~~neglect of a child~~ has been judicially determined. However, an
1204 arbitrator ~~arbiter~~ or other neutral may ~~shall~~ not ~~have the power~~
1205 ~~to~~ add to, subtract from, modify, or alter the terms of a
1206 collective bargaining agreement. If an employee organization is
1207 certified as the bargaining agent of a bargaining unit, the
1208 grievance procedure then in existence may be the subject of
1209 collective bargaining, and any agreement that ~~which~~ is reached
1210 shall supersede the previously existing procedure. All public
1211 employees ~~shall~~ have the right to a fair and equitable grievance
1212 procedure administered without regard to membership or
1213 nonmembership in any employee organization, except that
1214 bargaining agents may ~~certified employee organizations shall~~ not
1215 be required to process grievances for public employees who are
1216 not members of the employee organization. A public career
1217 ~~service~~ employee may use ~~shall have the option of utilizing~~ the
1218 civil service appeal procedure, an unfair labor practice
1219 procedure, or a grievance procedure established under this
1220 section, but may not avail ~~such employee is precluded from~~

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1221 ~~availing~~ himself or herself of ~~to~~ more than one of these
1222 procedures.

1223 **Section 16. Subsections (1) through (4) of section**
1224 **447.403, Florida Statutes, are amended to read:**

1225 447.403 Resolution of impasses.—

1226 (1) If, after a reasonable period of negotiation
1227 concerning the terms and conditions of employment to be
1228 incorporated in a collective bargaining agreement, a dispute
1229 exists between a public employer and a bargaining agent, either
1230 party may declare an impasse by providing written notification
1231 ~~shall be deemed to have occurred when one of the parties so~~
1232 ~~declares in writing to the other party and to the commission.~~
1233 When an impasse occurs, the public employer or the bargaining
1234 agent, or both parties acting jointly, may use ~~appoint~~, or
1235 secure the services ~~appointment~~ of, a mediator to assist in the
1236 resolution of the impasse. If the Governor is the public
1237 employer or for an impasse declared pursuant to s. 447.4095, a
1238 ~~ne~~ mediator may not ~~shall~~ be appointed.

1239 (2) (a) If a ne mediator is not used under subsection (1)
1240 ~~appointed~~, or upon the request of either party, the commission
1241 must ~~shall~~ appoint, and submit all unresolved issues to, a
1242 special magistrate acceptable to both parties. If the parties
1243 are unable to agree on the appointment of a special magistrate,
1244 the commission must ~~shall~~ appoint, in its discretion, a
1245 qualified special magistrate. However, if the parties agree in

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1246 writing to waive the appointment of a special magistrate, the
1247 parties may proceed directly to resolution of the impasse by the
1248 legislative body pursuant to paragraph (4) (d). Nothing in this
1249 section precludes the parties from using the services of a
1250 mediator at any time during the conduct of collective
1251 bargaining.

1252 (b) If the Governor is the public employer, a ~~ne~~ special
1253 magistrate may not ~~shall~~ be appointed. The parties must ~~may~~
1254 proceed directly to the Legislature for resolution of the
1255 impasse pursuant to paragraph (4) (d).

1256 (c) For an impasse declared pursuant to s. 447.4095(2),
1257 the parties must agree on a special magistrate and submit the
1258 agreed-upon name to the commission within 5 calendar days after
1259 the declaration of impasse. Within 2 business days after the
1260 submission of the special magistrate's name, the commission must
1261 appoint the agreed-upon special magistrate. If the parties do
1262 not submit the name of an agreed-upon special magistrate to the
1263 commission within 5 calendar days after the declaration of
1264 impasse, the commission must appoint a special magistrate of its
1265 choosing within 5 calendar days after the parties' deadline to
1266 submit the name of the agreed-upon special magistrate. Within 5
1267 calendar days after the special magistrate is appointed, each
1268 party must submit a list of issues at impasse to the special
1269 magistrate and serve a copy of the list on the other party at
1270 the same time.

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1271 (3) The special magistrate must ~~shall~~ hold a hearing
1272 ~~hearings~~ in order to define the area or areas of dispute, to
1273 determine facts relating to the dispute, and to render a
1274 decision on any and all unresolved contract issues. The hearing
1275 must ~~hearings shall~~ be held at a time, date, and place ~~times,~~
1276 ~~dates, and places~~ to be established by the special magistrate in
1277 accordance with rules adopted ~~promulgated~~ by the commission. For
1278 an impasse declared pursuant to s. 447.4095(2), a hearing must
1279 be held within 20 calendar days after the parties submit the
1280 list of issues at impasse to the special magistrate. The special
1281 magistrate may ~~shall be empowered to~~ administer oaths and issue
1282 subpoenas on behalf of the parties to the dispute or on his or
1283 her own behalf. Within 15 calendar days after the close of the
1284 final hearing, or 7 calendar days after the close of the hearing
1285 for an impasse declared pursuant to s. 447.4095(2), the special
1286 magistrate must submit ~~shall transmit~~ his or her recommended
1287 decision to the commission and to the representatives of both
1288 parties by any method of service that establishes proof of
1289 delivery ~~registered mail, return receipt requested~~. Such
1290 recommended decision must ~~shall~~ be discussed by the parties, and
1291 each recommendation of the special magistrate is ~~shall be~~ deemed
1292 approved by both parties unless specifically rejected by either
1293 party by written notice filed with the commission within 20
1294 calendar days, or 10 calendar days for an impasse declared
1295 pursuant to s. 447.4095(2), after the date the party received

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1296 the special magistrate's recommended decision. The written
1297 notice must ~~shall~~ include a statement of the cause for each
1298 rejection and ~~shall~~ be served upon the other party at the same
1299 time as it is filed with the commission.

1300 (4) If either the public employer or the bargaining agent
1301 ~~employee organization~~ does not accept, in whole or in part, the
1302 recommended decision of the special magistrate, all of the
1303 following procedures apply:

1304 (a) The chief executive officer of the governmental entity
1305 involved shall, within 10 calendar days after rejection of a
1306 recommendation of the special magistrate, submit to the
1307 legislative body of the governmental entity involved a copy of
1308 the findings of fact and recommended decision of the special
1309 magistrate, together with the chief executive officer's
1310 recommendations for settling the disputed impasse issues. The
1311 chief executive officer shall also submit ~~transmit~~ his or her
1312 recommendations to the bargaining agent at the same time as the
1313 recommendations are submitted to the legislative body. ~~employee~~
1314 ~~organization;~~

1315 (b) Within 10 calendar days after rejection of a
1316 recommendation of the special magistrate, the bargaining agent
1317 ~~employee organization~~ shall submit its recommendations for
1318 settling the disputed impasse issues to such legislative body
1319 and to the chief executive officer. ;

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1320 (c) The legislative body or its a duly authorized
1321 committee ~~thereof~~ shall ~~forthwith~~ conduct a public hearing at
1322 which the parties shall ~~be required to~~ explain their positions
1323 with respect to the rejected recommendations of the special
1324 magistrate. For an impasse declared pursuant to s. 447.4095(2),
1325 the legislative body must conduct the public hearing within 20
1326 calendar days after the parties submit their recommendations to
1327 the legislative body.

1328 (d) Thereafter, the legislative body shall take such
1329 action as it deems to be in the public interest, including the
1330 interest of the public employees involved, to resolve all
1331 disputed impasse issues. For an impasse declared pursuant to s.
1332 447.4095(2), the legislative body must take action within 10
1333 calendar days after the close of the public hearing.

1334 (e) 1. Following the resolution of the disputed impasse
1335 issues by the legislative body, the parties shall reduce to
1336 writing an agreement which includes those issues agreed to by
1337 the parties and those disputed impasse issues resolved by the
1338 legislative body's action taken pursuant to paragraph (d). For
1339 an impasse declared pursuant to s. 447.4095(2), the parties must
1340 reduce the agreement to writing within 10 calendar days after
1341 the resolution of the disputed impasse issues by the legislative
1342 body.

1343 2. The agreement must ~~shall~~ be signed by the chief
1344 executive officer and the bargaining agent and ~~shall~~ be

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1345 submitted to the public employer and ~~to~~ the public employees in
1346 ~~who are members of~~ the bargaining unit for ratification. For an
1347 impasse declared pursuant to s. 447.4095(2), the chief executive
1348 officer and the bargaining agent must sign the agreement within
1349 7 calendar days after the agreement is reduced to writing and
1350 must submit the agreement to the public employer and the
1351 bargaining unit for ratification within 10 calendar days after
1352 the agreement is signed. For an impasse declared pursuant to s.
1353 447.4095(2), the agreement must be signed, submitted, and
1354 ratified separately from other bargainable issues.

1355 3. If the such agreement is not ratified by all parties,
1356 pursuant to ~~the provisions of~~ s. 447.309, the legislative body's
1357 action taken pursuant to ~~the provisions of~~ paragraph (d) shall
1358 take effect as of the date of such legislative body's action for
1359 the remainder of the first fiscal year which was the subject of
1360 negotiations; however, the legislative body's action may shall
1361 not take effect with respect to those disputed impasse issues
1362 that which establish the language of contractual provisions that
1363 ~~which~~ could have no effect in the absence of a ratified
1364 agreement, including, but not limited to, preambles, recognition
1365 clauses, and duration clauses.

1366 **Section 17. Section 447.405, Florida Statutes, is amended**
1367 **to read:**

1368 447.405 Factors to be considered by the special
1369 magistrate.—The special magistrate shall conduct the hearings

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1370 and render recommended decisions with the objective of achieving
1371 a prompt, peaceful, and just settlement of disputes between the
1372 bargaining agents ~~public employee organizations~~ and the public
1373 employers. The factors, ~~among others,~~ to be given weight by the
1374 special magistrate in arriving at a recommended decision must
1375 ~~shall~~ include:

1376 (1) Comparison of the annual income of employment of the
1377 public employees in question with the annual income of
1378 employment maintained for the same or similar work of employees
1379 exhibiting like or similar skills under the same or similar
1380 working conditions in the local operating area involved.

1381 (2) Comparison of the annual income of employment of the
1382 public employees in question with the annual income of
1383 employment of public employees in similar public employee
1384 governmental bodies of comparable size within this ~~the~~ state.

1385 (3) The interest and welfare of the public.

1386 (4) Comparison of peculiarities of employment in regard to
1387 other trades or professions, specifically with respect to:

- 1388 (a) Hazards of employment.
1389 (b) Physical qualifications.
1390 (c) Educational qualifications.
1391 (d) Intellectual qualifications.
1392 (e) Job training and skills.
1393 (f) Retirement plans.
1394 (g) Sick leave.

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1395 (h) Job security.

1396 (5) Availability of funds.

1397 **Section 18. Section 447.4095, Florida Statutes, is amended**
1398 **to read:**

1399 447.4095 Financial urgency.—

1400 (1) In the event of a financial urgency requiring
1401 modification of an agreement, the chief executive officer or his
1402 or her representative and the bargaining agent or its
1403 representative must ~~shall~~ meet as soon as possible to negotiate
1404 the impact of the financial urgency. If after a reasonable
1405 period of negotiation, which may ~~shall~~ not exceed 14 calendar
1406 days, a dispute exists between the public employer and the
1407 bargaining agent, an impasse is ~~shall be~~ deemed to have
1408 occurred, and one of the parties must ~~shall~~ so declare in
1409 writing to the other party and to the commission. The parties
1410 must ~~shall~~ then proceed to follow the requirements under
1411 ~~pursuant to the provisions of s. 447.403.~~ An unfair labor
1412 practice charge may ~~shall~~ not be filed during the 14 calendar
1413 days during which negotiations are occurring under ~~pursuant to~~
1414 this section.

1415 (2) Salary increases appropriated by the Legislature are,
1416 for purposes of this section, considered a financial urgency. In
1417 the event of salary increases appropriated by the Legislature
1418 which require modification of an agreement, the chief executive
1419 officer or his or her representative and the bargaining agent or

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1420 its representative must meet within 15 calendar days after the
1421 effective date of the appropriation to negotiate the impact of
1422 the financial urgency. If 30 calendar days after the effective
1423 date of the appropriation, a dispute exists between the public
1424 employer and the bargaining agent as to the impact of the
1425 financial urgency, one of the parties must, within 2 business
1426 days, declare an impasse in writing to the other party and to
1427 the commission. The parties must then proceed to follow the
1428 requirements under s. 447.403. An unfair labor practice charge
1429 may not be filed during the 30-day period of negotiations or
1430 while the parties are proceeding through the resulting impasse
1431 process. This subsection does not apply to public employees in
1432 public safety units, as defined in s. 447.203.

1433 **Section 19. Paragraphs (c) and (f) of subsection (1) and**
1434 **subsection (2) of section 447.501, Florida Statutes, are**
1435 **amended, and paragraph (g) is added to subsection (1) of that**
1436 **section, to read:**

1437 447.501 Unfair labor practices.—

1438 (1) Public employers or their agents or representatives
1439 are prohibited from:

1440 (c) Refusing to bargain collectively, failing to bargain
1441 collectively in good faith, or refusing to sign a final
1442 agreement agreed upon with the ~~certified~~ bargaining agent for
1443 the public employees in the bargaining unit.

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1444 (f) Refusing to discuss grievances in good faith pursuant
1445 to the terms of the collective bargaining agreement with either
1446 the ~~certified~~ bargaining agent for the public employee or the
1447 employee involved.

1448 (g) Failing to provide to any employee organization or any
1449 petitioning public employee who is seeking to support, oppose,
1450 or intervene in the certification, recertification, or
1451 decertification of a bargaining agent equal access to the public
1452 employer's facilities and its internal means of communication
1453 for those purposes. The public employer must provide such equal
1454 access from the date of the filing of a petition pursuant to s.
1455 447.307 or s. 447.308 until the final resolution of the
1456 petition.

1457 (2) An ~~A~~ public employee organization or anyone acting on
1458 in its behalf or its officers, representatives, agents, or
1459 members are prohibited from:

1460 (a) Interfering with, restraining, or coercing public
1461 employees in the exercise of any rights guaranteed them under
1462 this part or interfering with, restraining, or coercing
1463 managerial employees by reason of their performance of job
1464 duties or other activities undertaken in the interests of the
1465 public employer.

1466 (b) Causing or attempting to cause a public employer to
1467 discriminate against a public ~~an~~ employee because of such ~~the~~
1468 employee's membership or nonmembership in an employee

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1469 organization or attempting to cause the public employer to
1470 violate ~~any of the provisions of~~ this part.

1471 (c) Refusing to bargain collectively or failing to bargain
1472 collectively in good faith with a public employer.

1473 (d) Discriminating against a public ~~an~~ employee because he
1474 or she has signed or filed an affidavit, a petition, or a
1475 complaint or given any information or testimony in any
1476 proceedings provided for in this part.

1477 (e) Participating in a strike against the public employer
1478 by instigating or supporting, in any positive manner, a strike.
1479 A person who violates ~~Any violation of~~ this paragraph is ~~shall~~
1480 subject ~~the violator~~ to the penalties provided in this part.

1481 (f) Instigating or advocating support, in any positive
1482 manner, for an employee organization's activities from high
1483 school or grade school students or students in institutions of
1484 higher learning.

1485 **Section 20. Subsection (1) of section 447.503, Florida**
1486 **Statutes, is amended to read:**

1487 447.503 Charges of unfair labor practices.—It is the
1488 intent of the Legislature that the commission act as
1489 expeditiously as possible to settle disputes regarding alleged
1490 unfair labor practices. To this end, violations of the
1491 provisions of s. 447.501 shall be remedied by the commission in
1492 accordance with the following procedures and in accordance with
1493 chapter 120; however, to the extent that chapter 120 is

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1494 inconsistent with the provisions of this section, the procedures
1495 contained in this section shall govern:

1496 (1) A proceeding to remedy a violation of ~~the provisions~~
1497 ~~of~~ s. 447.501 must ~~shall~~ be initiated by the filing of a charge
1498 with the commission by a public ~~an~~ employer, a public employee,
1499 or an employee organization, or any combination thereof, whose
1500 substantial interests will be affected as referenced in chapter
1501 120. Such a charge must ~~shall~~ contain a clear and concise
1502 statement of facts constituting the alleged unfair labor
1503 practice, including the names of all individuals involved in the
1504 alleged unfair labor practice, and include specific reference to
1505 the provisions of s. 447.501 alleged to have been violated, and
1506 such other relevant information as the commission may by rule
1507 require or allow. Service of the charge must ~~shall~~ be made upon
1508 each named respondent at the time of filing with the commission.
1509 The charge must be accompanied by sworn statements and
1510 documentary evidence sufficient to establish a prima facie
1511 violation of the applicable unfair labor practice provision.
1512 Such supporting evidence is not to be attached to the charge and
1513 is to be furnished only to the commission.

1514 **Section 21. Subsections (2) through (5) and paragraph (a)**
1515 **of subsection (6) of section 447.507, Florida Statutes, are**
1516 **amended to read:**

1517 447.507 Violation of strike prohibition; penalties.-

Amendment No.

1518 (2) If a public employee, a group of public employees, an
1519 employee organization, or any officer, agent, or representative
1520 of any employee organization engages in a strike in violation of
1521 s. 447.505, either the commission or any public employer whose
1522 public employees are involved or whose public employees may be
1523 affected by the strike may file suit to enjoin the strike in the
1524 circuit court having proper jurisdiction and proper venue of
1525 such actions under the Florida Rules of Civil Procedure and
1526 Florida Statutes. The circuit court shall conduct a hearing,
1527 with notice to the commission and to all interested parties, at
1528 the earliest practicable time. If the plaintiff makes a prima
1529 facie showing that a violation of s. 447.505 is in progress or
1530 that there is a clear, real, and present danger that such a
1531 strike is about to commence, the circuit court must ~~shall~~ issue
1532 a temporary injunction enjoining the strike. Upon final hearing,
1533 the circuit court shall either make the injunction permanent or
1534 dissolve it.

1535 (3) If an injunction to enjoin a strike issued pursuant to
1536 this section is not promptly complied with, on the application
1537 of the plaintiff, the circuit court shall immediately initiate
1538 contempt proceedings against those who appear to be in
1539 violation. An employee organization found to be in contempt of
1540 court for violating an injunction against a strike shall be
1541 fined an amount deemed appropriate by the court. In determining
1542 the appropriate fine, the court shall objectively consider the

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1543 extent of lost services and the particular nature and position
1544 of the public employee group in violation. ~~A In no event shall~~
1545 ~~the fine may not exceed \$30,000 \$5,000.~~ Each officer, agent, or
1546 representative of an employee organization found to be in
1547 contempt of court for violating an injunction against a strike
1548 shall be fined at least \$300, but not more than \$600, ~~not less~~
1549 ~~than \$50 nor more than \$100~~ for each calendar day that the
1550 violation is in progress.

1551 (4) An employee organization ~~is shall be~~ liable for any
1552 damages that ~~which~~ might be suffered by a public employer as a
1553 result of a violation of ~~the provisions of~~ s. 447.505 by the
1554 employee organization or its representatives, officers, or
1555 agents. The circuit court having jurisdiction over such actions
1556 ~~may is empowered to~~ enforce judgments against employee
1557 organizations in the amount deemed appropriate by the court in
1558 accordance with this section. An action may not, ~~as defined in~~
1559 ~~this part, by attachment or garnishment of union initiation fees~~
1560 ~~or dues which are to be deducted or checked off by public~~
1561 ~~employers. No action shall~~ be maintained pursuant to this
1562 subsection until all proceedings that ~~which~~ were pending before
1563 the commission at the time of the strike or that ~~which~~ were
1564 initiated within 30 days after ~~of~~ the strike have been finally
1565 adjudicated or otherwise disposed of. In determining the amount
1566 of damages, if any, to be awarded to the public employer, the
1567 trier of fact shall take into consideration any action or

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1568 inaction by the public employer or its agents that provoked or
1569 tended to provoke the strike by the public employees. The trier
1570 of fact shall also take into consideration any damages that
1571 might have been recovered by the public employer under
1572 subparagraph (6) (a) 4.

1573 (5) If the commission, after a hearing on notice conducted
1574 according to rules adopted ~~promulgated~~ by the commission,
1575 determines that a public ~~an~~ employee has violated s. 447.505, it
1576 may order the termination of such employee's ~~his or her~~
1577 employment by the public employer. Notwithstanding any other
1578 provision of law, a person knowingly violating s. 447.505 ~~the~~
1579 ~~provision of said section~~ may, subsequent to such violation, be
1580 appointed, reappointed, employed, or reemployed as a public
1581 employee, but only upon the following conditions:

1582 (a) Such person shall be on probation for ~~a period of~~ 18
1583 months after ~~following~~ his or her appointment, reappointment,
1584 employment, or reemployment, during which period he or she shall
1585 serve without permanent status and at the pleasure of the agency
1586 head.

1587 (b) His or her compensation may not ~~in no event~~ exceed the
1588 compensation ~~that~~ received immediately before ~~prior to~~ the time
1589 of the violation.

1590 (c) The compensation of the person may not be increased
1591 until at least ~~after the expiration of~~ 1 year after ~~from~~ such
1592 appointment, reappointment, employment, or reemployment.

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1593 (6) (a) If the commission determines that an employee
1594 organization has violated s. 447.505, it may:

1595 1. Issue cease and desist orders as necessary to ensure
1596 compliance with its order.

1597 2. Suspend or revoke the certification of the ~~employee~~
1598 ~~organization as the~~ bargaining agent of such bargaining ~~employee~~
1599 unit.

1600 3. Revoke any requirement of the public employer to engage
1601 in membership the right of dues deduction for the and collection
1602 ~~previously granted to said~~ employee organization pursuant to s.
1603 447.303.

1604 4. Fine the organization up to \$120,000 ~~\$20,000~~ for each
1605 calendar day of such violation or determine the approximate cost
1606 to the public due to each calendar day of the strike and fine
1607 the organization an amount equal to such cost, regardless of
1608 whether the fine exceeds \$120,000 notwithstanding the fact that
1609 ~~the fine may exceed \$20,000~~ for each such calendar day. The
1610 fines so collected ~~shall~~ immediately accrue to the public
1611 employer and must ~~shall~~ be used by the public employer ~~him or~~
1612 ~~her~~ to replace those services denied the public as a result of
1613 the strike. In determining the amount of damages, if any, to be
1614 awarded to the public employer, the commission must consider
1615 ~~shall take into consideration~~ any action or inaction by the
1616 public employer or its agents that provoked, or tended to
1617 provoke, the strike by the public employees.

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1618 **Section 22. Subsection (3) of section 447.509, Florida**
1619 **Statutes, is renumbered as subsection (6), and new subsections**
1620 **(3), (4), and (5) are added to that section, to read:**

1621 447.509 Other unlawful acts; exceptions.-

1622 (3) Public employers, their agents or representatives, or
1623 any persons acting on their behalf may not provide any form of
1624 compensation or paid leave to a public employee, directly or
1625 indirectly, for the purpose of engaging in employee organization
1626 activities.

1627 (4) Notwithstanding subsection (3), a public employee may
1628 do any of the following:

1629 (a) Be granted time off without pay or benefits to engage
1630 in employee organization activities, provided that the public
1631 employer and the bargaining agent agree. An employee
1632 organization may compensate a public employee for engaging in
1633 employee organization activities.

1634 (b) Use compensated personal leave, whether the leave is
1635 the public employee's or is voluntarily donated by other public
1636 employees in the bargaining unit, to engage in employee
1637 organization activities if:

1638 1. The leave is accrued at the same rate by similarly
1639 situated public employees in the bargaining unit without regard
1640 to membership in or participation with an employee organization.

1641 2. The public employee may freely choose how to use the
1642 leave.

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1643 (c) Engage in representational employee organization
1644 activities on behalf of the bargaining agent while in a duty
1645 status without loss of pay or benefits, provided that the public
1646 employer and the bargaining agent agree.

1647 (5) Subsections (3) and (4) do not apply to public
1648 employees in public safety units.

1649 **Section 23. Subsection (3) of section 110.114, Florida**
1650 **Statutes, is amended to read:**

1651 110.114 Employee wage deductions.—

1652 (3) Notwithstanding ~~the provisions of~~ subsections (1) and
1653 (2), ~~the deduction of an employee's~~ membership dues deductions
1654 as defined in s. 447.203 ~~s. 447.203(15)~~ for an employee
1655 ~~organization as defined in s. 447.203(11)~~ shall be authorized or
1656 permitted only for an organization that has been certified
1657 pursuant to chapter 447 as the ~~exclusive~~ bargaining agent
1658 ~~pursuant to chapter 447~~ for a unit of public state employees ~~in~~
1659 ~~which the employee is included.~~ Such deductions shall be subject
1660 to ~~the provisions of~~ s. 447.303.

1661 **Section 24. Paragraph (w) of subsection (2) of section**
1662 **110.205, Florida Statutes, is amended to read:**

1663 110.205 Career service; exemptions.—

1664 (2) EXEMPT POSITIONS.—The exempt positions that are not
1665 covered by this part include the following:

1666 (w) Managerial employees ~~and, as defined in s. 447.203(4),~~
1667 confidential employees, as those terms are defined in s. 447.203

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1668 ~~s. 447.203(5)~~, and supervisory employees who spend the majority
1669 of their time communicating with, motivating, training, and
1670 evaluating employees, and planning and directing employees'
1671 work, and who have the authority to hire, transfer, suspend, lay
1672 off, recall, promote, discharge, assign, reward, or discipline
1673 subordinate employees or effectively recommend such action,
1674 including all employees serving as supervisors, administrators,
1675 and directors. Excluded are employees also designated as special
1676 risk or special risk administrative support and attorneys who
1677 serve as administrative law judges pursuant to s. 120.65 or for
1678 hearings conducted pursuant to s. 120.57(1)(a). Additionally,
1679 registered nurses licensed under chapter 464, dentists licensed
1680 under chapter 466, psychologists licensed under chapter 490 or
1681 chapter 491, nutritionists or dietitians licensed under part X
1682 of chapter 468, pharmacists licensed under chapter 465,
1683 psychological specialists licensed under chapter 491, physical
1684 therapists licensed under chapter 486, and speech therapists
1685 licensed under part I of chapter 468 are excluded, unless
1686 otherwise collectively bargained.

1687 **Section 25. Subsection (6) of section 112.3187, Florida**
1688 **Statutes, is amended to read:**

1689 112.3187 Adverse action against employee for disclosing
1690 information of specified nature prohibited; employee remedy and
1691 relief.—

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1692 (6) TO WHOM INFORMATION DISCLOSED.—The information
1693 disclosed under this section must be disclosed to any agency or
1694 federal government entity having the authority to investigate,
1695 police, manage, or otherwise remedy the violation or act,
1696 including, but not limited to, the Office of the Chief Inspector
1697 General, an agency inspector general or the employee designated
1698 as agency inspector general under s. 112.3189(1) or inspectors
1699 general under s. 20.055, the Florida Commission on Human
1700 Relations, and the whistle-blower's hotline created under s.
1701 112.3189. However, for disclosures concerning a local
1702 governmental entity, including any regional, county, or
1703 municipal entity, special district, community college district,
1704 or school district or any political subdivision of any of the
1705 foregoing, the information must be disclosed to a chief
1706 executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or
1707 other appropriate local official.

1708 **Section 26. Subsection (5) of section 121.031, Florida**
1709 **Statutes, is amended to read:**

1710 121.031 Administration of system; appropriation; oaths;
1711 actuarial studies; public records.—

1712 (5) The names and addresses of retirees are confidential
1713 and exempt from ~~the provisions of~~ s. 119.07(1) to the extent
1714 that no state or local governmental agency may provide the names
1715 or addresses of such persons in aggregate, compiled, or list
1716 form to any person except to a public agency engaged in official

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1717 business. However, a state or local government agency may
1718 provide the names and addresses of retirees from that agency to
1719 a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to
1720 a retiree organization for official business use. Lists of names
1721 or addresses of retirees may be exchanged by public agencies,
1722 but such lists shall not be provided to, or open for inspection
1723 by, the public. Any person may view or copy any individual's
1724 retirement records at the Department of Management Services, one
1725 record at a time, or may obtain information by a separate
1726 written request for a named individual for which information is
1727 desired.

1728 **Section 27. Subsection (1) of section 447.02, Florida**
1729 **Statutes, is amended to read:**

1730 447.02 Definitions.—The following terms, when used in this
1731 chapter, shall have the meanings ascribed to them in this
1732 section:

1733 (1) The term "labor organization" means any organization
1734 of employees or local or subdivision thereof, having within its
1735 membership residents of the state, whether incorporated or not,
1736 organized for the purpose of dealing with employers concerning
1737 hours of employment, rate of pay, working conditions, or
1738 grievances of any kind relating to employment and recognized as
1739 a unit of bargaining by one or more employers doing business in
1740 this state, except that an "employee organization," as defined
1741 in s. 447.203 ~~s. 447.203(11)~~, shall be included in this

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1742 definition at such time as it seeks to register pursuant to s.
1743 447.305.

1744 **Section 28. Section 447.609, Florida Statutes, is amended**
1745 **to read:**

1746 447.609 Representation in proceedings.—Any full-time
1747 employee or officer of any public employer or employee
1748 organization may represent his or her employer or any public
1749 employee in ~~member of~~ a bargaining unit in any proceeding
1750 authorized in this part, excluding the representation of any
1751 person or public employer in a court of law by a person who is
1752 not a licensed attorney.

1753 **Section 29. Subsection (2) of section 1011.60, Florida**
1754 **Statutes, is amended to read:**

1755 1011.60 Minimum requirements of the Florida Education
1756 Finance Program.—Each district which participates in the state
1757 appropriations for the Florida Education Finance Program shall
1758 provide evidence of its effort to maintain an adequate school
1759 program throughout the district and shall meet at least the
1760 following requirements:

1761 (2) MINIMUM TERM.—Operate all schools for a term of 180
1762 actual teaching days or the equivalent on an hourly basis as
1763 specified by rules of the State Board of Education each school
1764 year. The State Board of Education may prescribe procedures for
1765 altering, and, upon written application, may alter, this
1766 requirement during a national, state, or local emergency as it

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1767 may apply to an individual school or schools in any district or
1768 districts if, in the opinion of the board, it is not feasible to
1769 make up lost days or hours, and the apportionment may, at the
1770 discretion of the Commissioner of Education and if the board
1771 determines that the reduction of school days or hours is caused
1772 by the existence of a bona fide emergency, be reduced for such
1773 district or districts in proportion to the decrease in the
1774 length of term in any such school or schools. A strike, as
1775 defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school
1776 district may not be considered an emergency.

1777 **Section 30.** This act shall take effect July 1, 2026.

1778

1779

1780

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

1781

Remove line 30 and insert:

1782

membership dues from a public employee; providing that

1783

a membership authorization form is valid if it meets

1784

certain requirements; amending s.