

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

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

51 information; exempting certain employee organizations
52 from a specified requirement; requiring a registration
53 fee for applications for registration and renewal of
54 registration; requiring certain employee organization
55 accounts to be open for inspection by the commission
56 and certain public employees at a reasonable time and
57 place; providing for the revocation of an employee
58 organization's certification under certain
59 circumstances; providing that certain decisions issued
60 by the commission are final agency actions; amending
61 s. 447.307, F.S.; revising requirements for the
62 certification and recertification of an employee
63 organization; creating s. 447.3076, F.S.; authorizing
64 a petition to clarify the composition of a bargaining
65 unit to be filed with the commission under certain
66 circumstances; requiring a copy of the petition to be
67 served on certain persons; requiring the public
68 employer to provide a copy of the petition to certain
69 affected employees within a specified timeframe;
70 requiring a petition to be dismissed under certain
71 circumstances; amending s. 447.308, F.S.; revising
72 requirements for the decertification of an employee
73 organization; amending s. 447.309, F.S.; removing
74 provisions relating to conflicts between any
75 collective bargaining agreement provision and certain

76 laws, ordinances, rules, or regulations; requiring
77 certain agreements to be returned to the bargaining
78 agent, rather than the employee organization;
79 requiring collective bargaining agreements to contain
80 specified terms and conditions; amending s. 447.401,
81 F.S.; conforming provisions to changes made by the
82 act; amending s. 447.403, F.S.; providing requirements
83 for when an impasse occurs; requiring a hearing within
84 a specified timeframe; authorizing the recommended
85 decision of a special magistrate from an impasse
86 hearing to be transmitted by any method of service
87 that establishes proof of delivery; amending s.
88 447.405, F.S.; conforming provisions to changes made
89 by the act; amending s. 447.4095, F.S.; providing that
90 salary increases appropriated by the Legislature are
91 considered a financial urgency; providing meeting and
92 dispute requirements; prohibiting unfair labor charges
93 to be filed during specified time periods; amending s.
94 447.501, F.S.; requiring a public employer to provide
95 to all employee organizations or petitioning employees
96 equal access to the employer's facilities and
97 communication systems for a specified time period;
98 amending s. 447.503, F.S.; authorizing certain public
99 employers, public employees, and employee
100 organizations, or combinations thereof, to file

101 certain charges with the commission; amending s.
102 447.507, F.S.; increasing fines for certain
103 violations; amending s. 447.509, F.S.; prohibiting
104 public employers, their agents or representatives, and
105 any persons acting on their behalf from taking certain
106 actions; authorizing certain actions by public
107 employees under certain circumstances; providing
108 exceptions; amending ss. 110.114, 110.205, 112.3187,
109 121.031, 447.02, 447.609, and 1011.60, F.S.;
110 conforming cross-references and provisions to changes
111 made by the act; providing an effective date.

112
113 Be It Enacted by the Legislature of the State of Florida:

114
115 **Section 1. Paragraph (d) of subsection (6) of section**
116 **110.227, Florida Statutes, is amended to read:**

117 110.227 Suspensions, dismissals, reductions in pay,
118 demotions, layoffs, transfers, and grievances.—

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

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

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

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

132 112.0455 Drug-Free Workplace Act.—

133 (14) DISCIPLINE REMEDIES.—

134 (a) An executive branch employee who is disciplined or who
135 is a job applicant for another position and is not hired
136 pursuant to this section, may file an appeal with the Public
137 Employees Relations Commission. Any appeal must be filed within
138 30 calendar days after ~~of~~ receipt by the employee or job
139 applicant of notice of discipline or refusal to hire. The notice
140 shall inform the employee or job applicant of the right to file
141 an appeal, or if available, the right to file a collective
142 bargaining grievance pursuant to s. 447.401. Such appeals shall
143 be resolved pursuant to the procedures established in ss.
144 447.207(1)-(4), 447.208(2), and 447.503(4) and (5). A hearing on
145 the appeal shall be conducted within 60 ~~30~~ days after ~~of~~ the
146 filing of the appeal, unless an extension is requested by the
147 employee or job applicant and granted by the commission or an
148 arbitrator. The final order must be issued by the commission in
149 accordance with ss. 120.569 and 120.57.

150 **Section 3. Paragraph (c) is added to subsection (12) of**

151 **section 120.80, Florida Statutes, to read:**

152 120.80 Exceptions and special requirements; agencies.—

153 (12) PUBLIC EMPLOYEES RELATIONS COMMISSION.—

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

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

158 295.14 Penalties.—

159 (1) When the Public Employees Relations Commission, after
160 a hearing on notice conducted according to rules adopted by the
161 commission, determines that a violation of s. 295.07, s. 295.08,
162 s. 295.085, or s. 295.09(1)(a) or (b) has occurred and sustains
163 the veteran seeking redress, the commission shall order the
164 offending agency, employee, or officer of the state to comply
165 with ~~the provisions of~~ s. 295.07, s. 295.08, s. 295.085, or s.
166 295.09(1)(a) or (b); and, in the event of a violation of s.
167 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b), the
168 commission may issue an order to compensate the veteran for the
169 loss of any wages and reasonable attorney ~~attorney's~~ fees for
170 actual hours worked, and costs of all work, including
171 litigation, incurred as a result of such violation, which order
172 shall be conclusive on the agency, employee, or officer
173 concerned. The attorney ~~attorney's~~ fees and costs may not exceed
174 \$10,000. The final order must be issued by ~~action of~~ the
175 commission in accordance with ss. 120.569 and 120.57 ~~shall be in~~

176 ~~writing and shall be served on the parties concerned by~~
177 ~~certified mail with return receipt requested.~~

178 **Section 5. Section 447.203, Florida Statutes, is amended**
179 **to read:**

180 447.203 Definitions.—As used in this part:

181 (1)~~(12)~~ "Bargaining agent" means the employee organization
182 that ~~which~~ has been certified by the commission as representing
183 the employees in the bargaining unit, as provided in s. 447.307,
184 or its representative.

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

195 (3)~~(9)~~ "Chief executive officer" for the state means ~~shall~~
196 ~~mean~~ the Governor and for other public employers means ~~shall~~
197 ~~mean~~ the person, whether elected or appointed, who is
198 responsible to the legislative body of the public employer for
199 the administration of the governmental affairs of the public
200 employer.

201 (4)~~(16)~~ "Civil service" means any career, civil, or merit
202 system used by any public employer.

203 (5)~~(14)~~ "Collective bargaining" means the performance of
204 the mutual obligations of the public employer and the bargaining
205 agent of the employee organization to meet at reasonable times,
206 to negotiate in good faith, and to execute a written contract
207 with respect to agreements reached concerning the terms and
208 conditions of employment, except that neither party shall be
209 compelled to agree to a proposal or be required to make a
210 concession unless otherwise provided in this part.

211 (6)~~(1)~~ "Commission" means the Public Employees Relations
212 Commission created by s. 447.205.

213 (7)~~(5)~~ "Confidential employees" means ~~are~~ persons who act
214 in a confidential capacity to assist or aid managerial employees
215 as defined in subsection (12) ~~(4)~~.

216 (8)~~(11)~~ "Employee organization" or "organization" means
217 any labor organization, union, association, fraternal order,
218 occupational or professional society, or group, however
219 organized or constituted, which represents, or seeks to
220 represent, any public employee or group of public employees
221 concerning any matters relating to their employment relationship
222 with a public employer.

223 (9) "Employee organization activities" means activities
224 undertaken at the direction of, on behalf of, or to advance the
225 purposes of an employee organization or any parent organization

226 or affiliate of the employee organization by:

227 (a) Supporting or opposing a candidate for federal, state,
228 or local public office.

229 (b) Influencing the passage or defeat of any federal or
230 state legislation or regulation, local ordinance or resolution,
231 or ballot measure.

232 (c) Promoting or soliciting membership or participation
233 in, or financial support of, an employee organization or any
234 parent organization or affiliate of the employee organization.

235 (d) Seeking certification as a bargaining agent.

236 (e) Participating in the administration, business, or
237 internal governance of an employee organization or any parent
238 organization or affiliate of the employee organization.

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

243 (g) Distributing communications of an employee
244 organization or any parent organization or affiliate of the
245 employee organization.

246 (h) Representing or speaking on behalf of an employee
247 organization or any parent organization or affiliate of the
248 employee organization in any setting, venue, or procedure in
249 which the public employer is not a participant.

250 (i) Preparing, filing, or pursuing unfair labor practice

251 charges or grievances.

252 (j) Representing public employees in investigatory
253 interviews; disciplinary proceedings or appeals, including
254 termination; or other administrative or legal proceedings.

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

257 (l) Administering a collective bargaining agreement.

258 (m) Participating in labor-management committees.

259 (10)-(17) "Good faith bargaining" means shall mean, but is
260 not be limited to, the willingness of both parties to meet at
261 reasonable times and places, as mutually agreed upon, in order
262 to discuss issues that ~~which~~ are proper subjects of bargaining,
263 with the intent of reaching a common accord. The term includes
264 ~~It shall include~~ an obligation for both parties to participate
265 actively in the negotiations with an open mind and a sincere
266 desire, as well as making a sincere effort, to resolve
267 differences and come to an agreement. In determining whether a
268 party failed to bargain in good faith, the commission shall
269 consider the total conduct of the parties during negotiations as
270 well as the specific incidents of alleged bad faith. Incidents
271 indicative of bad faith shall include, but not be limited to,
272 the following occurrences:

273 (a) Failure to meet at reasonable times and places with
274 representatives of the other party for the purpose of
275 negotiations.

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

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

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

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

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

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

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

community college.

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

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

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

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

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

4. They have a significant role in personnel administration.

5. They have a significant role in employee relations.

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

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

(b) Serve as police chiefs, fire chiefs, or directors of public safety of any police, fire, or public safety department. Other police officers, as defined in s. 943.10(1), and

326 firefighters, as defined in s. 633.102, may be determined by the
327 commission to be managerial employees of such departments. In
328 making such determinations, the commission shall consider, in
329 addition to the criteria established in paragraph (a), the
330 paramilitary organizational structure of the department
331 involved.

332
333 However, in determining whether an individual is a managerial
334 employee pursuant to paragraph (a) or paragraph (b), ~~above~~, the
335 commission may consider historic relationships of the employee
336 to the public employer and to coemployees.

337 (13) "Membership dues" means employee organization dues;
338 uniform assessments; fees, including initiation fees; or
339 voluntary contributions paid in exchange for membership in an
340 employee organization or as a member of the employee
341 organization.

342 (14) ~~(15)~~ "Membership dues deduction" means the practice by
343 ~~of~~ a public employer of deducting membership dues ~~and uniform~~
344 ~~assessments~~ from the salary or wages of a public employee and.
345 ~~Such term also means the practice of a public employer of~~
346 ~~transmitting the sums so deducted to an such employee~~
347 ~~organization on behalf of the public employee.~~

348 (15) ~~(13)~~ "Professional employee" means:

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

351 1. Work predominantly intellectual and varied in character
352 as opposed to routine mental, manual, mechanical, or physical
353 work..~~;~~

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

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

359 4. Work requiring advanced knowledge in a field of science
360 or learning customarily acquired by a prolonged course of
361 specialized intellectual instruction and study in an institution
362 of higher learning or a hospital, as distinguished from a
363 general academic education, an apprenticeship, or training in
364 the performance of routine mental or physical processes.

365 (b) Any employee who:

366 1. Has completed the course of specialized intellectual
367 instruction and study described in subparagraph (a) 4. ~~4. of~~
368 ~~paragraph (a); and~~

369 2. Is performing related work under supervision of a
370 professional person to qualify to become a professional employee
371 as defined in paragraph (a).

372 (16) (3) "Public employee" means any person employed by a
373 public employer except:

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

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

378 (c) Those individuals acting as negotiating
379 representatives for employer authorities.

380 (d) Those persons who are designated by the commission as
381 managerial or confidential employees pursuant to criteria
382 contained herein.

383 (e) Those persons holding positions of employment with the
384 Florida Legislature.

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

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

390 1. Federal license requirement.

391 2. Federal autonomy regarding investigation and
392 disciplining of appointees.

393 3. Frequent transfers due to harvesting conditions.

394 (h) Those persons employed by the Public Employees
395 Relations Commission.

396 (i) Those persons enrolled as undergraduate students in a
397 state university who perform part-time work for the state
398 university.

399 (17)~~(2)~~ "Public employer" or "employer" means the state or
400 any county, municipality, or special district or any subdivision

or agency thereof which the commission determines has sufficient legal distinctiveness properly to carry out the functions of a public employer. With respect to all public employees determined by the commission as properly belonging to a statewide bargaining unit composed of State Career Service System employees or Selected Professional Service employees, the Governor is deemed to be the public employer; and the Board of Governors of the State University System, or the board's designee, is deemed to be the public employer with respect to all public employees of each constituent state university. The board of trustees of a community college is deemed to be the public employer with respect to all employees of the community college. The district school board is deemed to be the public employer with respect to all employees of the school district. The Board of Trustees of the Florida School for the Deaf and the Blind is deemed to be the public employer with respect to the academic and academic administrative personnel of the Florida School for the Deaf and the Blind. The Governor is deemed to be the public employer with respect to all employees in the Correctional Education Program of the Department of Corrections established pursuant to s. 944.801.

(18) "Public safety unit" means a bargaining unit in which the majority of the public employees are employed as a law enforcement officer, correctional officer, or correctional probation officer, as those terms are defined in s. 943.10(1),

426 (2), or (3), respectively; a firefighter as defined in s.
427 633.102(9); a 911 public safety telecommunicator as defined in
428 s. 401.465(1); or an emergency medical technician or a
429 paramedic, as those terms are defined in s. 401.23.

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

432 (20) "Showing of interest" means written statements signed
433 and dated by public employees in a proposed or existing
434 bargaining unit indicating the desire of the public employees
435 either to be represented by the employee organization for
436 purposes of collective bargaining or to no longer be represented
437 by the bargaining agent for purposes of collective bargaining.

438 (21)-(6) "Strike" means the concerted failure of employees
439 to report for duty; the concerted absence of employees from
440 their positions; the concerted stoppage of work by employees;
441 the concerted submission of resignations by employees; the
442 concerted abstinence in whole or in part by any group of
443 employees from the full and faithful performance of the duties
444 of employment with a public employer for the purpose of
445 inducing, influencing, condoning, or coercing a change in the
446 terms and conditions of employment or the rights, privileges, or
447 obligations of public employment, or participating in a
448 deliberate and concerted course of conduct which adversely
449 affects the services of the public employer; the concerted
450 failure of employees to report for work after the expiration of

451 a collective bargaining agreement; and picketing in furtherance
452 of a work stoppage. The term includes ~~"strike"~~ shall also mean
453 any overt preparation, including, but not limited to, the
454 establishment of strike funds with regard to the ~~above-listed~~
455 activities listed in this subsection.

456 (22) ~~(7)~~ "Strike funds" means ~~are~~ any appropriations by an
457 employee organization which are established to directly or
458 indirectly aid any employee or employee organization to
459 participate in a strike in the state.

460 (23) ~~(18)~~ "Student representative" means the representative
461 selected by each community college or university student
462 government association. Each representative may be present at
463 all negotiating sessions that take place between the appropriate
464 public employer and a ~~an-exclusive~~ bargaining agent. The
465 representative must be enrolled as a student with at least 8
466 credit hours in the respective community college or university
467 during his or her term as student representative.

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

470 447.205 Public Employees Relations Commission.—

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

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

478 447.207 Commission; powers and duties.—

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

485 (4) ~~Any subpoena, notice of hearing, or other process or~~
486 ~~notice of the commission issued under the provisions of this~~
487 ~~part must either shall be served personally or by certified~~
488 ~~mail, return receipt requested, or be served personally by any~~
489 ~~person specified by law to serve process or by any person who is~~
490 ~~not a party and who is 18 years of age or older. When certified~~
491 ~~mail is used, a returned post office receipt constitutes proof~~
492 ~~of service. When personal service is used, if the subpoena is~~
493 ~~not served by a person specified by law to serve process, an~~
494 ~~affidavit of the person making service constitutes proof of~~
495 ~~service. A return made and verified by the individual making~~
496 ~~such service and setting forth the manner of such service is~~
497 ~~proof of service, and a returned post office receipt, when~~
498 ~~certified mail is used, is proof of service. All process of any~~
499 ~~court to which application may be made under the provisions of~~
500 ~~this part shall be served in the county wherein the persons~~

~~required to be served reside or may be found.~~

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

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

(12) Upon a petition by a public employer after it has been notified by the Department of Labor that the public employer's protective arrangement covering mass transit

employees does not meet the requirements of 49 U.S.C. s. 5333(b) and would jeopardize the public employer's continued eligibility to receive Federal Transit Administration funding, the commission may waive the application of this part, but only to the extent necessary for the public employer to comply with ~~the requirements of 49 U.S.C. s. 5333(b), any of the following for an employee organization that has been certified as a bargaining agent to represent mass transit employees:~~

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

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

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

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

447.301 Public employees' rights; organization and representation.—

(1)

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

the executed form to the bargaining agent.

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

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

As a public employee in the State of Florida, ~~is a right to work state.~~ membership or nonmembership ~~non-membership~~ in a labor union is not required as a condition of employment. ~~and~~ Union membership and payment of membership ~~union~~ dues ~~and assessments~~ are voluntary. A public employee's ~~Each person has the~~ right to join and pay membership dues to a labor union or to refrain from joining and paying membership dues to a labor union is protected by both Florida's right-to-work law and the First Amendment of the United States Constitution. A public employer may not

576 discriminate against a public ~~No employee may be discriminated~~
577 ~~against in any manner~~ for joining and financially supporting, a
578 ~~labor union or for~~ refusing to join and ~~or~~ financially support,
579 a labor union.

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

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

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

601 ~~401.465(1)(a); or emergency medical technicians or paramedics as~~
602 ~~defined in s. 401.23.~~

603 7. The commission may adopt rules to implement this
604 paragraph.

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

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

616 447.303 Membership dues; deduction and collection.—

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

626 ~~certified as the bargaining agent.~~

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

649 (b) Reasonable costs to the public employer of engaging in
650 membership dues ~~said deductions~~ is a proper subject of

collective bargaining.

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

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

447.305 Registration of employee organizations organization.—

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

676 prescribe, and ~~shall~~ include all of the following:

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

680 (b) The names and addresses of the principal officers and
681 all representatives of the organization.

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

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

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

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

696 (g) A copy of the current constitution and bylaws of the
697 employee organization.

698 (h) A copy of the current constitution and bylaws of the
699 state and national groups with which the employee organization
700 is affiliated or associated. In lieu of this provision, and upon

701 adoption of a rule by the commission, a state or national
702 affiliate or parent organization of any registering employee
703 ~~labor~~ organization may annually submit a copy of its current
704 constitution and bylaws.

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

722 (a) Assets and liabilities at the beginning and end of the
723 fiscal year.†

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

725 (c) Disbursements by category.†

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

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

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

748 (g) The amount of membership dues retained by or
749 distributed to each of the following: the employee organization,
750 any parent organization of the employee organization, and any

751 affiliate of either the employee organization or the parent
752 organization.

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

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

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

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

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

775 ~~(e) The number of employees in the bargaining unit who~~

776 ~~paid dues to the employee organization.~~

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

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

783 (4) Within 30 days after filing an application for renewal
784 of registration with the commission, the employee organization
785 must provide a copy of its application ~~for renewal of~~
786 ~~registration relating to a public employer's employees~~ to the
787 public employer and public employees of each bargaining unit for
788 which the employee organization is the bargaining agent ~~on the~~
789 ~~same day the application is submitted to the commission.~~

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

~~incomplete application must be dismissed if the required information and documentation are not provided within 10 days after the employee organization receives such notice.~~

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

(7) If a ~~The~~ public employer or a public employee of a bargaining unit represented by a bargaining agent believes that the bargaining agent's employee may challenge an employee organization's application for renewal of registration is

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

839 (8) The commission or one of its designated agents may
840 conduct an investigation to confirm the validity of any
841 information submitted pursuant to this section. The commission
842 may revoke or deny an employee organization's registration or
843 certification if it finds that the employee organization:

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

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

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

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

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

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

(11) Every employee organization shall keep accurate accounts of its income and expenses, which accounts must ~~shall~~ be open for inspection at a ~~all~~ reasonable time and place ~~times~~ by ~~any member of the organization or by~~ the commission or a

876 public employee in a bargaining unit for which the employee
877 organization is the bargaining agent. ~~In addition, each employee~~
878 ~~organization that has been certified as a bargaining agent must~~
879 ~~provide to its members an annual financial report prepared by an~~
880 ~~independent certified public accountant licensed under chapter~~
881 ~~473 that includes a detailed breakdown of revenues and~~
882 ~~expenditures in such categories as the commission may prescribe,~~
883 ~~and an accounting of membership dues and assessments. The~~
884 ~~employee organization must notify its members annually of all~~
885 ~~costs of membership.~~

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

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

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

900 447.307 Certification and recertification of employee

901 organizations ~~organization.~~

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

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

932 (b)(2) A ~~If the public employer refuses to recognize the~~
933 ~~employee organization, the employee organization may file a~~
934 ~~petition with the commission for certification as the bargaining~~
935 ~~agent for a proposed bargaining unit. The petition shall be~~
936 ~~accompanied by dated statements signed by at least 30 percent of~~
937 ~~the employees in the proposed unit, indicating that such~~
938 ~~employees desire to be represented for purposes of collective~~
939 ~~bargaining by the petitioning employee organization. Once a~~
940 ~~petition for certification has been filed by an employee~~
941 ~~organization, any registered employee organization desiring~~
942 ~~placement on the ballot in any certification or recertification~~
943 ~~election to be conducted pursuant to this section may be~~
944 ~~permitted by the commission to intervene in the proceeding upon~~
945 ~~a motion accompanied by a showing of interest from dated~~
946 ~~statements signed by at least 10 percent of the public employees~~
947 ~~in the proposed or existing bargaining unit, indicating that~~
948 ~~such employees desire to be represented for the purposes of~~
949 ~~collective bargaining by the moving employee organization. The~~
950 ~~showing of interest petitions and dated statements must be~~

951 signed and dated by the public employees not more than 12 months
952 before the filing of the petition.

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

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

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

974 (b) If a valid collective bargaining agreement covering
975 any of the public employees in a proposed or existing bargaining

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

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

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

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

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

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

1011 1.(b) If ~~When~~ an employee organization is selected by a
1012 majority vote of the public employees who are in the bargaining
1013 unit as of the date set by the commission ~~voting in an election,~~
1014 the commission shall certify or recertify the employee
1015 organization as the ~~exclusive collective~~ bargaining agent for
1016 the public ~~representative of all~~ employees in the unit.

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

1025 (b) Certification elections involving public safety units

are determined as follows:

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

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

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

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

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

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

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

(a) The principles of efficient administration of government.

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

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

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

1076 respect to matters of employment upon which the employee desires
1077 to negotiate.

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

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

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

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

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

1087 4. The desires of the employees.

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

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

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

1097
1098 However, a bargaining ~~no~~ unit may not ~~shall~~ be established or
1099 approved for purposes of collective bargaining which includes
1100 both professional and nonprofessional employees unless a

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

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

447.3076 Clarification of bargaining units.—

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

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

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

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

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

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

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

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

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

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

1134 (1) A public ~~Any~~ employee or group of public employees
1135 ~~that~~ ~~which~~ no longer desires to be represented by a ~~the~~
1136 ~~certified~~ bargaining agent may file with the commission a
1137 petition to decertify the bargaining agent ~~revoke certification~~.
1138 The petition must ~~shall~~ be accompanied by a showing of interest
1139 from dated statements signed by at least 30 percent of the
1140 public employees in the bargaining unit, ~~indicating that such~~
1141 ~~employees no longer desire to be represented for purposes of~~
1142 ~~collective bargaining by the certified bargaining agent. The~~
1143 ~~time of filing said petition shall be governed by the provisions~~
1144 ~~of s. 447.307(3)(d) relating to petitions for certification. The~~
1145 showing of interest statements must be signed and dated by the
1146 public employees not more than 12 months before the filing of
1147 the petition. Any employee, employer, or employee organization
1148 having sufficient reason to believe that the showing of interest
1149 was ~~any of the employee signatures were~~ obtained by collusion,
1150 coercion, intimidation, or misrepresentation or is ~~are~~ otherwise

1151 invalid shall be given a reasonable opportunity to verify and
1152 challenge the showing of interest ~~signatures appearing on the~~
1153 ~~petition.~~

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

1159 (b) If a valid collective bargaining agreement covering
1160 any of the public employees in the bargaining unit is in effect,
1161 a decertification petition may only be filed with the commission
1162 at least 90 but not more than 150 days immediately preceding the
1163 expiration date of the collective bargaining agreement, or at
1164 any time after such agreement's expiration date but before the
1165 effective date of a new collective bargaining agreement. The
1166 effective date of a collective bargaining agreement is the date
1167 of ratification of such agreement by both parties if such
1168 agreement becomes effective immediately or retroactively, or the
1169 collective bargaining agreement's actual effective date if such
1170 agreement becomes effective after its ratification date.

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

1176 commission must ~~it shall immediately:~~

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

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

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

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

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

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

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

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

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

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

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

1221 447.309 Collective bargaining; approval or rejection.—

1222 (1) After an employee organization has been certified as
1223 the bargaining agent of a bargaining unit pursuant to the
1224 ~~provisions of~~ this part, the bargaining agent ~~for the~~
1225 ~~organization~~ and the chief executive officer of the appropriate

public employer or employers, jointly, shall bargain collectively in the determination of the wages, hours, and terms and conditions of employment of the public employees within the bargaining unit. The chief executive officer or his or her representative and the bargaining agent or its representative shall meet at reasonable times and bargain in good faith. In conducting negotiations with the bargaining agent, the chief executive officer or his or her representative shall consult with, and attempt to represent the views of, the legislative body of the public employer. Any collective bargaining agreement reached by the negotiators shall be reduced to writing, and such agreement shall be signed by the chief executive officer and the bargaining agent. Any agreement signed by the chief executive officer and the bargaining agent is ~~shall~~ not be binding on the public employer until such agreement has been ratified by the public employer and the ~~by~~ public employees in ~~who are members of~~ the bargaining unit, subject to subsection ~~the provisions of subsections~~ (2) and (3). However, with respect to statewide bargaining units, any agreement signed by the Governor and the bargaining agent for such a bargaining unit is ~~shall~~ not be binding until approved by the public employees in ~~who are members of~~ the bargaining unit, subject to subsection ~~the provisions of subsections~~ (2) and (3).

(2) (a) Upon execution of the collective bargaining agreement, the chief executive shall, in his or her annual

1251 budget request or by other appropriate means, request the
1252 legislative body to appropriate such amounts as shall be
1253 sufficient to fund the provisions of the collective bargaining
1254 agreement.

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

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

1276 ~~(3)-(4)~~ If the agreement is not ratified by the public
1277 employer or is not approved by a majority ~~vote~~ of the public
1278 employees voting ~~in the unit~~, in accordance with procedures
1279 adopted by the commission, the agreement shall be returned to
1280 the chief executive officer and the bargaining agent ~~employee~~
1281 ~~organization~~ for further negotiations.

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

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

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

1301 issue under appeal is an allegation of abuse, abandonment, or
1302 neglect of a child by a public ~~an~~ employee under s. 39.201 or an
1303 allegation of abuse, neglect, or exploitation of a vulnerable
1304 adult by a public employee under s. 415.1034, the grievance may
1305 not be decided until such allegation ~~the abuse, abandonment, or~~
1306 ~~neglect of a child~~ has been judicially determined. However, an
1307 arbitrator ~~arbiter~~ or other neutral may ~~shall~~ not have the power
1308 ~~to~~ add to, subtract from, modify, or alter the terms of a
1309 collective bargaining agreement. If an employee organization is
1310 certified as the bargaining agent of a bargaining unit, the
1311 grievance procedure then in existence may be the subject of
1312 collective bargaining, and any agreement that ~~which~~ is reached
1313 shall supersede the previously existing procedure. All public
1314 employees ~~shall~~ have the right to a fair and equitable grievance
1315 procedure administered without regard to membership or
1316 nonmembership in any employee organization, except that
1317 bargaining agents may ~~certified employee organizations shall~~ not
1318 be required to process grievances for public employees who are
1319 not members of the employee organization. A public ~~career~~
1320 ~~service~~ employee may use ~~shall have the option of utilizing~~ the
1321 civil service appeal procedure, an unfair labor practice
1322 procedure, or a grievance procedure established under this
1323 section, but may not avail ~~such employee is precluded from~~
1324 ~~availing~~ himself or herself of ~~to~~ more than one of these
1325 procedures.

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

1328 447.403 Resolution of impasses.—

1329 (1) If, after a reasonable period of negotiation
1330 concerning the terms and conditions of employment to be
1331 incorporated in a collective bargaining agreement, a dispute
1332 exists between a public employer and a bargaining agent, either
1333 party may declare an impasse by providing written notification
1334 ~~shall be deemed to have occurred when one of the parties so~~
1335 ~~declares in writing~~ to the other party and to the commission.
1336 When an impasse occurs, the public employer or the bargaining
1337 agent, or both parties acting jointly, may use ~~appoint~~, or
1338 secure the services ~~appointment~~ of, a mediator to assist in the
1339 resolution of the impasse. If the Governor is the public
1340 employer or for an impasse declared pursuant to s. 447.4095, a
1341 ~~no~~ mediator may not ~~shall~~ be appointed.

1342 (2) (a) If a no mediator is not used under subsection (1)
1343 ~~appointed~~, or upon the request of either party, the commission
1344 must ~~shall~~ appoint, and submit all unresolved issues to, a
1345 special magistrate acceptable to both parties. If the parties
1346 are unable to agree on the appointment of a special magistrate,
1347 the commission must ~~shall~~ appoint, in its discretion, a
1348 qualified special magistrate. However, if the parties agree in
1349 writing to waive the appointment of a special magistrate, the
1350 parties may proceed directly to resolution of the impasse by the

1351 legislative body pursuant to paragraph (4)(d). Nothing in this
1352 section precludes the parties from using the services of a
1353 mediator at any time during the conduct of collective
1354 bargaining.

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

1359 (c) For an impasse declared pursuant to s. 447.4095(2),
1360 the parties must agree on a special magistrate and submit the
1361 agreed-upon name to the commission within 5 calendar days after
1362 the declaration of impasse. Within 2 business days after the
1363 submission of the special magistrate's name, the commission must
1364 appoint the agreed-upon special magistrate. If the parties do
1365 not submit the name of an agreed-upon special magistrate to the
1366 commission within 5 calendar days after the declaration of
1367 impasse, the commission must appoint a special magistrate of its
1368 choosing within 5 calendar days after the parties' deadline to
1369 submit the name of the agreed-upon special magistrate. Within 5
1370 calendar days after the special magistrate is appointed, each
1371 party must submit a list of issues at impasse to the special
1372 magistrate and serve a copy of the list on the other party at
1373 the same time.

1374 (3) The special magistrate must ~~shall~~ hold a hearing
1375 ~~hearings~~ in order to define the area or areas of dispute, to

1376 determine facts relating to the dispute, and to render a
1377 decision on any and all unresolved contract issues. The hearing
1378 must ~~hearings shall~~ be held at a time, date, and place ~~times,~~
1379 ~~dates, and places~~ to be established by the special magistrate in
1380 accordance with rules adopted ~~promulgated~~ by the commission. For
1381 an impasse declared pursuant to s. 447.4095(2), a hearing must
1382 be held within 20 calendar days after the parties submit the
1383 list of issues at impasse to the special magistrate. The special
1384 magistrate may ~~shall be empowered to~~ administer oaths and issue
1385 subpoenas on behalf of the parties to the dispute or on his or
1386 her own behalf. Within 15 calendar days after the close of the
1387 ~~final~~ hearing, or 7 calendar days after the close of the hearing
1388 for an impasse declared pursuant to s. 447.4095(2), the special
1389 magistrate must submit ~~shall transmit~~ his or her recommended
1390 decision to the commission and to the representatives of both
1391 parties by any method of service that establishes proof of
1392 delivery ~~registered mail, return receipt requested.~~ Such
1393 recommended decision must ~~shall~~ be discussed by the parties, and
1394 each recommendation of the special magistrate is ~~shall be~~ deemed
1395 approved by both parties unless specifically rejected by either
1396 party by written notice filed with the commission within 20
1397 calendar days, or 10 calendar days for an impasse declared
1398 pursuant to s. 447.4095(2), after the date the party received
1399 the special magistrate's recommended decision. The written
1400 notice must ~~shall~~ include a statement of the cause for each

1401 rejection and ~~shall~~ be served upon the other party at the same
1402 time as it is filed with the commission.

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

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

1418 (b) Within 10 calendar days after rejection of a
1419 recommendation of the special magistrate, the bargaining agent
1420 ~~employee organization~~ shall submit its recommendations for
1421 settling the disputed impasse issues to such legislative body
1422 and to the chief executive officer. ~~;~~

1423 (c) The legislative body or its ~~a~~ duly authorized
1424 committee ~~thereof~~ shall ~~forthwith~~ conduct a public hearing at
1425 which the parties shall ~~be required to~~ explain their positions

1426 with respect to the rejected recommendations of the special
1427 magistrate. For an impasse declared pursuant to s. 447.4095(2),
1428 the legislative body must conduct the public hearing within 20
1429 calendar days after the parties submit their recommendations to
1430 the legislative body.~~†~~

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

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

1446 2. The agreement must ~~shall~~ be signed by the chief
1447 executive officer and the bargaining agent and ~~shall~~ be
1448 submitted to the public employer and ~~to~~ the public employees in
1449 ~~who are members of~~ the bargaining unit for ratification. For an
1450 impasse declared pursuant to s. 447.4095(2), the chief executive

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officer and the bargaining agent must sign the agreement within 7 calendar days after the agreement is reduced to writing and must submit the agreement to the public employer and the bargaining unit for ratification within 10 calendar days after the agreement is signed. For an impasse declared pursuant to s. 447.4095(2), the agreement must be signed, submitted, and ratified separately from other bargainable issues.

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

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

447.405 Factors to be considered by the special magistrate.—The special magistrate shall conduct the hearings and render recommended decisions with the objective of achieving a prompt, peaceful, and just settlement of disputes between the bargaining agents ~~public employee organizations~~ and the public

employers. The factors, ~~among others,~~ to be given weight by the special magistrate in arriving at a recommended decision must ~~shall~~ include:

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

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

(3) The interest and welfare of the public.

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

- (a) Hazards of employment.
 - (b) Physical qualifications.
 - (c) Educational qualifications.
 - (d) Intellectual qualifications.
 - (e) Job training and skills.
 - (f) Retirement plans.
 - (g) Sick leave.
 - (h) Job security.
- (5) Availability of funds.

Section 18. Section 447.4095, Florida Statutes, is amended

1501 **to read:**

1502 447.4095 Financial urgency.—

1503 (1) In the event of a financial urgency requiring
1504 modification of an agreement, the chief executive officer or his
1505 or her representative and the bargaining agent or its
1506 representative must ~~shall~~ meet as soon as possible to negotiate
1507 the impact of the financial urgency. If after a reasonable
1508 period of negotiation, which may ~~shall~~ not exceed 14 calendar
1509 days, a dispute exists between the public employer and the
1510 bargaining agent, an impasse is ~~shall be~~ deemed to have
1511 occurred, and one of the parties must ~~shall~~ so declare in
1512 writing to the other party and to the commission. The parties
1513 must ~~shall~~ then proceed to follow the requirements under
1514 ~~pursuant to the provisions of~~ s. 447.403. An unfair labor
1515 practice charge may ~~shall~~ not be filed during the 14 calendar
1516 days during which negotiations are occurring under ~~pursuant to~~
1517 this section.

1518 (2) Salary increases appropriated by the Legislature are,
1519 for purposes of this section, considered a financial urgency. In
1520 the event of salary increases appropriated by the Legislature
1521 which require modification of an agreement, the chief executive
1522 officer or his or her representative and the bargaining agent or
1523 its representative must meet within 15 calendar days after the
1524 effective date of the appropriation to negotiate the impact of
1525 the financial urgency. If 30 calendar days after the effective

1526 date of the appropriation, a dispute exists between the public
1527 employer and the bargaining agent as to the impact of the
1528 financial urgency, one of the parties must, within 2 business
1529 days, declare an impasse in writing to the other party and to
1530 the commission. The parties must then proceed to follow the
1531 requirements under s. 447.403. An unfair labor practice charge
1532 may not be filed during the 30-day period of negotiations or
1533 while the parties are proceeding through the resulting impasse
1534 process. This subsection does not apply to public employees in
1535 public safety units, as defined in s. 447.203.

1536 **Section 19. Paragraphs (c) and (f) of subsection (1) and**
1537 **subsection (2) of section 447.501, Florida Statutes, are**
1538 **amended, and paragraph (g) is added to subsection (1) of that**
1539 **section, to read:**

1540 447.501 Unfair labor practices.—

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

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

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

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

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

1563 (a) Interfering with, restraining, or coercing public
1564 employees in the exercise of any rights guaranteed them under
1565 this part or interfering with, restraining, or coercing
1566 managerial employees by reason of their performance of job
1567 duties or other activities undertaken in the interests of the
1568 public employer.

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

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

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

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

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

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

1590 447.503 Charges of unfair labor practices.—It is the
1591 intent of the Legislature that the commission act as
1592 expeditiously as possible to settle disputes regarding alleged
1593 unfair labor practices. To this end, violations of the
1594 provisions of s. 447.501 shall be remedied by the commission in
1595 accordance with the following procedures and in accordance with
1596 chapter 120; however, to the extent that chapter 120 is
1597 inconsistent with the provisions of this section, the procedures
1598 contained in this section shall govern:

1599 (1) A proceeding to remedy a violation of ~~the provisions~~
1600 ~~of~~ s. 447.501 must ~~shall~~ be initiated by the filing of a charge

with the commission by a public ~~an~~ employer, a public employee, or an employee organization, or any combination thereof, whose substantial interests will be affected as referenced in chapter 120. Such a charge must ~~shall~~ contain a clear and concise statement of facts constituting the alleged unfair labor practice, including the names of all individuals involved in the alleged unfair labor practice, and include specific reference to the provisions of s. 447.501 alleged to have been violated, and such other relevant information as the commission may by rule require or allow. Service of the charge must ~~shall~~ be made upon each named respondent at the time of filing with the commission. The charge must be accompanied by sworn statements and documentary evidence sufficient to establish a prima facie violation of the applicable unfair labor practice provision. Such supporting evidence is not to be attached to the charge and is to be furnished only to the commission.

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

447.507 Violation of strike prohibition; penalties.—

(2) If a public employee, a group of public employees, an employee organization, or any officer, agent, or representative of any employee organization engages in a strike in violation of s. 447.505, either the commission or any public employer whose public employees are involved or whose public employees may be

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

1638 (3) If an injunction to enjoin a strike issued pursuant to
1639 this section is not promptly complied with, on the application
1640 of the plaintiff, the circuit court shall immediately initiate
1641 contempt proceedings against those who appear to be in
1642 violation. An employee organization found to be in contempt of
1643 court for violating an injunction against a strike shall be
1644 fined an amount deemed appropriate by the court. In determining
1645 the appropriate fine, the court shall objectively consider the
1646 extent of lost services and the particular nature and position
1647 of the public employee group in violation. ~~A In no event shall~~
1648 ~~the fine~~ may not exceed \$30,000 ~~\$5,000~~. Each officer, agent, or
1649 representative of an employee organization found to be in
1650 contempt of court for violating an injunction against a strike

shall be fined at least \$300, but not more than \$600, ~~not less than \$50 nor more than \$100~~ for each calendar day that the violation is in progress.

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

1676 (5) If the commission, after a hearing on notice conducted
1677 according to rules adopted ~~promulgated~~ by the commission,
1678 determines that a public ~~an~~ employee has violated s. 447.505, it
1679 may order the termination of such employee's ~~his or her~~
1680 employment by the public employer. Notwithstanding any other
1681 provision of law, a person knowingly violating s. 447.505 ~~the~~
1682 ~~provision of said section~~ may, subsequent to such violation, be
1683 appointed, reappointed, employed, or reemployed as a public
1684 employee, but only upon the following conditions:

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

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

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

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

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

1700 2. Suspend or revoke the certification of the ~~employee~~

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1701 ~~organization as the~~ bargaining agent of such bargaining employee
1702 unit.

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

1707 4. Fine the organization up to \$120,000 ~~\$20,000~~ for each
1708 calendar day of such violation or determine the approximate cost
1709 to the public due to each calendar day of the strike and fine
1710 the organization an amount equal to such cost, regardless of
1711 whether the fine exceeds \$120,000 ~~notwithstanding the fact that~~
1712 ~~the fine may exceed \$20,000~~ for each such calendar day. The
1713 fines so collected ~~shall~~ immediately accrue to the public
1714 employer and must ~~shall~~ be used by the public employer ~~him or~~
1715 ~~her~~ to replace those services denied the public as a result of
1716 the strike. In determining the amount of damages, if any, to be
1717 awarded to the public employer, the commission must consider
1718 ~~shall take into consideration~~ any action or inaction by the
1719 public employer or its agents that provoked, or tended to
1720 provoke, the strike by the public employees.

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

1724 447.509 Other unlawful acts; exceptions.—

1725 (3) Public employers, their agents or representatives, or

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

1730 (4) Notwithstanding subsection (3), if the public employer
1731 and the bargaining agent agree, a public employee may do any of
1732 the following:

1733 (a) Be granted time off without pay or benefits to engage
1734 in employee organization activities. An employee organization
1735 may compensate a public employee for engaging in employee
1736 organization activities.

1737 (b) Use compensated personal leave, whether the leave is
1738 the public employee's or is voluntarily donated by other public
1739 employees in the bargaining unit, to engage in employee
1740 organization activities if:

1741 1. The leave is accrued at the same rate by similarly
1742 situated public employees in the bargaining unit without regard
1743 to membership in or participation with an employee organization.

1744 2. The public employee may freely choose how to use the
1745 leave.

1746 (c) Engage in representational employee organization
1747 activities on behalf of the bargaining agent while in a duty
1748 status without loss of pay or benefits.

1749 (5) Subsections (3) and (4) do not apply to public
1750 employees in public safety units.

1751 **Section 23. Subsection (3) of section 110.114, Florida**
1752 **Statutes, is amended to read:**

1753 110.114 Employee wage deductions.—

1754 (3) Notwithstanding ~~the provisions of~~ subsections (1) and
1755 (2), ~~the deduction of an employee's~~ membership dues deductions
1756 as defined in s. 447.203 ~~s. 447.203(15) for an employee~~
1757 ~~organization as defined in s. 447.203(11)~~ shall be authorized or
1758 permitted only for an organization that has been certified
1759 pursuant to chapter 447 as the ~~exclusive~~ bargaining agent
1760 ~~pursuant to chapter 447~~ for a unit of public state employees in
1761 ~~which the employee is included~~. Such deductions shall be subject
1762 to ~~the provisions of~~ s. 447.303.

1763 **Section 24. Paragraph (w) of subsection (2) of section**
1764 **110.205, Florida Statutes, is amended to read:**

1765 110.205 Career service; exemptions.—

1766 (2) EXEMPT POSITIONS.—The exempt positions that are not
1767 covered by this part include the following:

1768 (w) Managerial employees and, ~~as defined in s. 447.203(4),~~
1769 confidential employees, as those terms are defined in s. 447.203
1770 ~~s. 447.203(5)~~, and supervisory employees who spend the majority
1771 of their time communicating with, motivating, training, and
1772 evaluating employees, and planning and directing employees'
1773 work, and who have the authority to hire, transfer, suspend, lay
1774 off, recall, promote, discharge, assign, reward, or discipline
1775 subordinate employees or effectively recommend such action,

including all employees serving as supervisors, administrators, and directors. Excluded are employees also designated as special risk or special risk administrative support and attorneys who serve as administrative law judges pursuant to s. 120.65 or for hearings conducted pursuant to s. 120.57(1)(a). Additionally, registered nurses licensed under chapter 464, dentists licensed under chapter 466, psychologists licensed under chapter 490 or chapter 491, nutritionists or dietitians licensed under part X of chapter 468, pharmacists licensed under chapter 465, psychological specialists licensed under chapter 491, physical therapists licensed under chapter 486, and speech therapists licensed under part I of chapter 468 are excluded, unless otherwise collectively bargained.

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

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

(6) TO WHOM INFORMATION DISCLOSED.—The information disclosed under this section must be disclosed to any agency or federal government entity having the authority to investigate, police, manage, or otherwise remedy the violation or act, including, but not limited to, the Office of the Chief Inspector General, an agency inspector general or the employee designated as agency inspector general under s. 112.3189(1) or inspectors

1801 general under s. 20.055, the Florida Commission on Human
1802 Relations, and the whistle-blower's hotline created under s.
1803 112.3189. However, for disclosures concerning a local
1804 governmental entity, including any regional, county, or
1805 municipal entity, special district, community college district,
1806 or school district or any political subdivision of any of the
1807 foregoing, the information must be disclosed to a chief
1808 executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or
1809 other appropriate local official.

1810 **Section 26. Subsection (5) of section 121.031, Florida**
1811 **Statutes, is amended to read:**

1812 121.031 Administration of system; appropriation; oaths;
1813 actuarial studies; public records.—

1814 (5) The names and addresses of retirees are confidential
1815 and exempt from ~~the provisions of~~ s. 119.07(1) to the extent
1816 that no state or local governmental agency may provide the names
1817 or addresses of such persons in aggregate, compiled, or list
1818 form to any person except to a public agency engaged in official
1819 business. However, a state or local government agency may
1820 provide the names and addresses of retirees from that agency to
1821 a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to
1822 a retiree organization for official business use. Lists of names
1823 or addresses of retirees may be exchanged by public agencies,
1824 but such lists shall not be provided to, or open for inspection
1825 by, the public. Any person may view or copy any individual's

retirement records at the Department of Management Services, one record at a time, or may obtain information by a separate written request for a named individual for which information is desired.

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

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

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

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

447.609 Representation in proceedings.—Any full-time employee or officer of any public employer or employee organization may represent his or her employer or any public

1851 employee in ~~member of~~ a bargaining unit in any proceeding
1852 authorized in this part, excluding the representation of any
1853 person or public employer in a court of law by a person who is
1854 not a licensed attorney.

1855 **Section 29. Subsection (2) of section 1011.60, Florida**
1856 **Statutes, is amended to read:**

1857 1011.60 Minimum requirements of the Florida Education
1858 Finance Program.—Each district which participates in the state
1859 appropriations for the Florida Education Finance Program shall
1860 provide evidence of its effort to maintain an adequate school
1861 program throughout the district and shall meet at least the
1862 following requirements:

1863 (2) MINIMUM TERM.—Operate all schools for a term of 180
1864 actual teaching days or the equivalent on an hourly basis as
1865 specified by rules of the State Board of Education each school
1866 year. The State Board of Education may prescribe procedures for
1867 altering, and, upon written application, may alter, this
1868 requirement during a national, state, or local emergency as it
1869 may apply to an individual school or schools in any district or
1870 districts if, in the opinion of the board, it is not feasible to
1871 make up lost days or hours, and the apportionment may, at the
1872 discretion of the Commissioner of Education and if the board
1873 determines that the reduction of school days or hours is caused
1874 by the existence of a bona fide emergency, be reduced for such
1875 district or districts in proportion to the decrease in the

1876 length of term in any such school or schools. A strike, as
1877 defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school
1878 district may not be considered an emergency.

1879 **Section 30.** This act shall take effect July 1, 2026.