

HB 995

2026

A bill to be entitled  
An act relating to the Public Employees Relations  
Commission; amending s. 110.227, F.S.; conforming  
final order requirements to ch. 120, F.S.; removing a  
provision requiring exceptions to a recommended order  
to be filed within a specified timeframe; amending s.  
112.0455, F.S.; conforming final order requirements to  
ch. 120, F.S.; revising the timeframe in which an  
appeal hearing must be conducted; amending s. 120.80,  
F.S.; providing applicability; amending s. 295.14,  
F.S.; conforming final order requirements to ch. 120,  
F.S.; amending s. 447.203, F.S.; providing and  
revising definitions; amending s. 447.205, F.S.;  
revising the seal of the Public Employees Relations  
Commission; amending s. 447.207, F.S.; providing  
construction relating to the rulemaking authority of  
the commission; authorizing subpoenas to be served by  
certified mail, return receipt requested, or by  
personal service; revising requirements for proof of  
service; removing the requirement that the commission  
adopt rules for the qualifications of persons who may  
serve as mediators; authorizing the commission, under  
certain circumstances, to waive the application of any  
provision of part II of ch. 447, F.S., rather than  
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

HB 995

2026

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

HB 995

2026

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

HB 995

2026

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 of155 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.

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

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

280        (d) Refusing, upon reasonable written request, to provide  
281        public information, excluding work products as defined in s.  
282        447.605.

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

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

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

288        (11)~~(10)~~ "Legislative body" means the State Legislature,  
289        the board of county commissioners, the district school board,  
290        the governing body of a municipality, or the governing body of  
291        an instrumentality or unit of government having authority to  
292        appropriate funds and establish policy governing the terms and  
293        conditions of employment and which, as the case may be, is the  
294        appropriate legislative body for the bargaining unit. For  
295        purposes of s. 447.403, the Board of Governors of the State  
296        University System, or the board's designee, shall be deemed to  
297        be the legislative body with respect to all employees of each  
298        constituent state university. For purposes of s. 447.403, the  
299        board of trustees of a community college shall be deemed to be  
300        the legislative body with respect to all employees of the

301 community college.

302 (12) ~~(4)~~ "Managerial employees" means are those employees  
303 who:

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

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

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

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

315 4. They have a significant role in personnel  
316 administration.

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

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

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

323 (b) Serve as police chiefs, fire chiefs, or directors of  
324 public safety of any police, fire, or public safety department.  
325 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

HB 995

2026

401 or agency thereof which the commission determines has sufficient  
402 legal distinctiveness properly to carry out the functions of a  
403 public employer. With respect to all public employees determined  
404 by the commission as properly belonging to a statewide  
405 bargaining unit composed of State Career Service System  
406 employees or Selected Professional Service employees, the  
407 Governor is deemed to be the public employer; and the Board of  
408 Governors of the State University System, or the board's  
409 designee, is deemed to be the public employer with respect to  
410 all public employees of each constituent state university. The  
411 board of trustees of a community college is deemed to be the  
412 public employer with respect to all employees of the community  
413 college. The district school board is deemed to be the public  
414 employer with respect to all employees of the school district.  
415 The Board of Trustees of the Florida School for the Deaf and the  
416 Blind is deemed to be the public employer with respect to the  
417 academic and academic administrative personnel of the Florida  
418 School for the Deaf and the Blind. The Governor is deemed to be  
419 the public employer with respect to all employees in the  
420 Correctional Education Program of the Department of Corrections  
421 established pursuant to s. 944.801.

422 (18) "Public safety unit" means a bargaining unit in which  
423 the majority of the public employees are employed as a law  
424 enforcement officer, correctional officer, or correctional  
425 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

HB 995

2026

501 required to be served reside or may be found.

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

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

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

HB 995

2026

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

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

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

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

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

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

547 (1)

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

551 the executed form to the bargaining agent.

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

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

566  
567 As a public employee in the State of Florida, is a right to work  
568 state. membership or nonmembership non-membership in a labor  
569 union is not required as a condition of employment, and Union  
570 membership and payment of membership union dues and assessments  
571 are voluntary. A public employee's Each person has the right to  
572 join and pay membership dues to a labor union or to refrain from  
573 joining and paying membership dues to a labor union is protected  
574 by both Florida's right-to-work law and the First Amendment of  
575 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~~

HB 995

2026

626 ~~eertified 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

651 collective bargaining.

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

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

659 447.305 Registration of employee organizations  
660 organization.—

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

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

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

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

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

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

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

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

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

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

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

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

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

HB 995

2026

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

HB 995

2026

1026 | are determined as follows:

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

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

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

1042 | (e) In any election in which none of the choices on the  
1043 | ballot receives the vote of a majority of the employees voting,  
1044 | a runoff election shall be held according to rules promulgated  
1045 | by the commission.

1046 | (d) No petition may be filed seeking an election in any  
1047 | proposed or existing appropriate bargaining unit to determine  
1048 | the exclusive bargaining agent within 12 months after the date  
1049 | of a commission order verifying a representation election or, if  
1050 | an employee organization prevails, within 12 months after the

1051 date of an effective certification covering any of the employees  
1052 in the proposed or existing bargaining unit. Furthermore, if a  
1053 valid collective bargaining agreement covering any of the  
1054 employees in a proposed unit is in effect, a petition for  
1055 certification may be filed with the commission only during the  
1056 period extending from 150 days to 90 days immediately preceding  
1057 the expiration date of that agreement, or at any time subsequent  
1058 to its expiration date but prior to the effective date of any  
1059 new agreement. The effective date of a collective bargaining  
1060 agreement means the date of ratification by both parties, if the  
1061 agreement becomes effective immediately or retroactively; or its  
1062 actual effective date, if the agreement becomes effective after  
1063 its ratification date.

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

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

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

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

1073 (d) The power of the officials of government at the level  
1074 of the unit to agree, or make effective recommendations to  
1075 another administrative authority or to a legislative body, with

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

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

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

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

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

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

1087 4. The desires of the employees.

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

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

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

1097

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

1101 majority of each group votes for inclusion in such bargaining  
1102 unit.

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

1105 447.3076 Clarification of bargaining units.—

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

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

1112 (b) Retitled with no substantial change in job duties; or  
1113 (c) Included or excluded through inadvertence or  
1114 misunderstanding by the commission.

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

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

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

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

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

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

HB 995

2026

1226 public employer or employers, jointly, shall bargain  
1227 collectively in the determination of the wages, hours, and terms  
1228 and conditions of employment of the public employees within the  
1229 bargaining unit. The chief executive officer or his or her  
1230 representative and the bargaining agent or its representative  
1231 shall meet at reasonable times and bargain in good faith. In  
1232 conducting negotiations with the bargaining agent, the chief  
1233 executive officer or his or her representative shall consult  
1234 with, and attempt to represent the views of, the legislative  
1235 body of the public employer. Any collective bargaining agreement  
1236 reached by the negotiators shall be reduced to writing, and such  
1237 agreement shall be signed by the chief executive officer and the  
1238 bargaining agent. Any agreement signed by the chief executive  
1239 officer and the bargaining agent is shall not be binding on the  
1240 public employer until such agreement has been ratified by the  
1241 public employer and the by public employees in ~~who are members~~  
1242 ~~of~~ the bargaining unit, subject to subsection ~~the provisions of~~  
1243 ~~subsections~~ (2) ~~and~~ (3). However, with respect to statewide  
1244 bargaining units, any agreement signed by the Governor and the  
1245 bargaining agent for such a bargaining unit is shall not be  
1246 binding until approved by the public employees in ~~who are~~  
1247 ~~members of~~ the bargaining unit, subject to subsection ~~the~~  
1248 ~~provisions of subsections~~ (2) ~~and~~ (3).

1249 (2) (a) Upon execution of the collective bargaining  
1250 agreement, the chief executive shall, in his or her annual

HB 995

2026

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 se  
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 ~~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.

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

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

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

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

1471       447.405 Factors to be considered by the special  
1472 magistrate.—The special magistrate shall conduct the hearings  
1473 and render recommended decisions with the objective of achieving  
1474 a prompt, peaceful, and just settlement of disputes between the  
1475 bargaining agents ~~public employee organizations~~ and the public

1476 employers. The factors, ~~among others~~, to be given weight by the  
1477 special magistrate in arriving at a recommended decision must  
1478 shall include:

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

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

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

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

- 1491 (a) Hazards of employment.
- 1492 (b) Physical qualifications.
- 1493 (c) Educational qualifications.
- 1494 (d) Intellectual qualifications.
- 1495 (e) Job training and skills.
- 1496 (f) Retirement plans.
- 1497 (g) Sick leave.
- 1498 (h) Job security.
- 1499 (5) Availability of funds.

1500 **Section 18. Section 447.4095, Florida Statutes, is amended**

1501 to read:

1502 447.4095 Financial urgency.—

1503 (1) In the event of a financial urgency requiring  
1504 modification of an agreement, the chief executive officer or his  
1505 or her representative and the bargaining agent or its  
1506 representative must ~~shall~~ meet as soon as possible to negotiate  
1507 the impact of the financial urgency. If after a reasonable  
1508 period of negotiation, which may ~~shall~~ not exceed 14 calendar  
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

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

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

1620 447.507 Violation of strike prohibition; penalties.—  
1621 (2) If a public employee, a group of public employees, an  
1622 employee organization, or any officer, agent, or representative  
1623 of any employee organization engages in a strike in violation of  
1624 s. 447.505, either the commission or any public employer whose  
1625 public employees are involved or whose public employees may be

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

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

1651 shall be fined at least \$300, but not more than \$600, not less  
1652 ~~than \$50 nor more than \$100~~ for each calendar day that the  
1653 violation is in progress.

1654 (4) An employee organization is ~~shall~~ be liable for any  
1655 damages that ~~which~~ might be suffered by a public employer as a  
1656 result of a violation of ~~the provisions of~~ s. 447.505 by the  
1657 employee organization or its representatives, officers, or  
1658 agents. The circuit court having jurisdiction over such actions  
1659 may ~~is~~ empowered to enforce judgments against employee  
1660 organizations in the amount deemed appropriate by the court in  
1661 accordance with this section. An action may not, as defined in  
1662 ~~this part, by attachment or garnishment of union initiation fees~~  
1663 ~~or dues which are to be deducted or checked off by public~~  
1664 ~~employers. No action shall~~ be maintained pursuant to this  
1665 subsection until all proceedings that ~~which~~ were pending before  
1666 the commission at the time of the strike or that ~~which~~ were  
1667 initiated within 30 days after ~~of~~ the strike have been finally  
1668 adjudicated or otherwise disposed of. In determining the amount  
1669 of damages, if any, to be awarded to the public employer, the  
1670 trier of fact shall take into consideration any action or  
1671 inaction by the public employer or its agents that provoked or  
1672 tended to provoke the strike by the public employees. The trier  
1673 of fact shall also take into consideration any damages that  
1674 might have been recovered by the public employer under  
1675 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~~

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,

1776 including all employees serving as supervisors, administrators,  
1777 and directors. Excluded are employees also designated as special  
1778 risk or special risk administrative support and attorneys who  
1779 serve as administrative law judges pursuant to s. 120.65 or for  
1780 hearings conducted pursuant to s. 120.57(1)(a). Additionally,  
1781 registered nurses licensed under chapter 464, dentists licensed  
1782 under chapter 466, psychologists licensed under chapter 490 or  
1783 chapter 491, nutritionists or dietitians licensed under part X  
1784 of chapter 468, pharmacists licensed under chapter 465,  
1785 psychological specialists licensed under chapter 491, physical  
1786 therapists licensed under chapter 486, and speech therapists  
1787 licensed under part I of chapter 468 are excluded, unless  
1788 otherwise collectively bargained.

1789 **Section 25. Subsection (6) of section 112.3187, Florida  
1790 Statutes, is amended to read:**

1791 112.3187 Adverse action against employee for disclosing  
1792 information of specified nature prohibited; employee remedy and  
1793 relief.—

1794 (6) TO WHOM INFORMATION DISCLOSED.—The information  
1795 disclosed under this section must be disclosed to any agency or  
1796 federal government entity having the authority to investigate,  
1797 police, manage, or otherwise remedy the violation or act,  
1798 including, but not limited to, the Office of the Chief Inspector  
1799 General, an agency inspector general or the employee designated  
1800 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

1826 retirement records at the Department of Management Services, one  
1827 record at a time, or may obtain information by a separate  
1828 written request for a named individual for which information is  
1829 desired.

1830 **Section 27. Subsection (1) of section 447.02, Florida  
1831 Statutes, is amended to read:**

1832 447.02 Definitions.—The following terms, when used in this  
1833 chapter, shall have the meanings ascribed to them in this  
1834 section:

1835 (1) The term "labor organization" means any organization  
1836 of employees or local or subdivision thereof, having within its  
1837 membership residents of the state, whether incorporated or not,  
1838 organized for the purpose of dealing with employers concerning  
1839 hours of employment, rate of pay, working conditions, or  
1840 grievances of any kind relating to employment and recognized as  
1841 a unit of bargaining by one or more employers doing business in  
1842 this state, except that an "employee organization," as defined  
1843 in s. 447.203 ~~s. 447.203(11)~~, shall be included in this  
1844 definition at such time as it seeks to register pursuant to s.  
1845 447.305.

1846 **Section 28. Section 447.609, Florida Statutes, is amended  
1847 to read:**

1848 447.609 Representation in proceedings.—Any full-time  
1849 employee or officer of any public employer or employee  
1850 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

HB 995

2026

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.