

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

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

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

76 organization; amending s. 447.309, F.S.; removing
77 provisions relating to conflicts between any
78 collective bargaining agreement provision and certain
79 laws, ordinances, rules, or regulations; requiring
80 certain agreements to be returned to the bargaining
81 agent, rather than the employee organization;
82 requiring collective bargaining agreements to contain
83 specified terms and conditions; amending s. 447.401,
84 F.S.; conforming provisions to changes made by the
85 act; amending s. 447.403, F.S.; providing requirements
86 for when an impasse occurs; requiring a hearing within
87 a specified timeframe; authorizing the recommended
88 decision of a special magistrate from an impasse
89 hearing to be transmitted by any method of service
90 that establishes proof of delivery; amending s.
91 447.405, F.S.; conforming provisions to changes made
92 by the act; amending s. 447.4095, F.S.; providing that
93 salary increases appropriated by the Legislature are
94 considered a financial urgency; providing meeting and
95 dispute requirements; prohibiting unfair labor charges
96 to be filed during specified time periods; amending s.
97 447.501, F.S.; requiring a public employer to provide
98 to all employee organizations or petitioning employees
99 equal access to the employer's facilities and
100 communication systems for a specified time period;

amending s. 447.503, F.S.; authorizing certain public employers, public employees, and employee organizations, or combinations thereof, to file certain charges with the commission; amending s. 447.507, F.S.; increasing fines for certain violations; amending s. 447.509, F.S.; prohibiting public employers, their agents or representatives, and any persons acting on their behalf from taking certain actions; authorizing certain actions by public employees under certain circumstances; providing exceptions; amending ss. 110.114, 110.205, 112.3187, 121.031, 447.02, 447.609, and 1011.60, F.S.; conforming cross-references and provisions to changes made by the act; providing an effective date.

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

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

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

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

(d) A recommended order must ~~shall~~ be issued by the

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

133 **Section 2. Paragraph (a) of subsection (14) of section**
134 **112.0455, Florida Statutes, is amended to read:**

135 112.0455 Drug-Free Workplace Act.—

136 (14) DISCIPLINE REMEDIES.—

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

151 arbitrator. The final order must be issued by the commission in
152 accordance with ss. 120.569 and 120.57.

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

155 120.80 Exceptions and special requirements; agencies.—

156 (12) PUBLIC EMPLOYEES RELATIONS COMMISSION.—

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

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

161 295.14 Penalties.—

162 (1) When the Public Employees Relations Commission, after
163 a hearing on notice conducted according to rules adopted by the
164 commission, determines that a violation of s. 295.07, s. 295.08,
165 s. 295.085, or s. 295.09(1)(a) or (b) has occurred and sustains
166 the veteran seeking redress, the commission shall order the
167 offending agency, employee, or officer of the state to comply
168 with ~~the provisions of~~ s. 295.07, s. 295.08, s. 295.085, or s.
169 295.09(1)(a) or (b); and, in the event of a violation of s.
170 295.07, s. 295.08, s. 295.085, or s. 295.09(1)(a) or (b), the
171 commission may issue an order to compensate the veteran for the
172 loss of any wages and reasonable attorney ~~attorney's~~ fees for
173 actual hours worked, and costs of all work, including
174 litigation, incurred as a result of such violation, which order
175 shall be conclusive on the agency, employee, or officer

concerned. The attorney ~~attorney's~~ fees and costs may not exceed \$10,000. The final order must be issued by action of the commission in accordance with ss. 120.569 and 120.57 ~~shall be in writing and shall be served on the parties concerned by certified mail with return receipt requested.~~

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

447.203 Definitions.—As used in this part:

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

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

(3) ~~(9)~~ "Chief executive officer" for the state means ~~shall mean~~ the Governor and for other public employers means ~~shall mean~~ the person, whether elected or appointed, who is

201 responsible to the legislative body of the public employer for
202 the administration of the governmental affairs of the public
203 employer.

204 (4) ~~(16)~~ "Civil service" means any career, civil, or merit
205 system used by any public employer.

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

214 (6) ~~(1)~~ "Commission" means the Public Employees Relations
215 Commission created by s. 447.205.

216 (7) ~~(5)~~ "Confidential employees" means ~~are~~ persons who act
217 in a confidential capacity to assist or aid managerial employees
218 as defined in subsection (12) ~~(4)~~.

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

226 (9) "Employee organization activities" means activities
227 undertaken at the direction of, on behalf of, or to advance the
228 purposes of an employee organization or any parent organization
229 or affiliate of the employee organization by:

230 (a) Supporting or opposing a candidate for federal, state,
231 or local public office.

232 (b) Influencing the passage or defeat of any federal or
233 state legislation or regulation, local ordinance or resolution,
234 or ballot measure.

235 (c) Promoting or soliciting membership or participation
236 in, or financial support of, an employee organization or any
237 parent organization or affiliate of the employee organization.

238 (d) Seeking certification as a bargaining agent.

239 (e) Participating in the administration, business, or
240 internal governance of an employee organization or any parent
241 organization or affiliate of the employee organization.

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

246 (g) Distributing communications of an employee
247 organization or any parent organization or affiliate of the
248 employee organization.

249 (h) Representing or speaking on behalf of an employee
250 organization or any parent organization or affiliate of the

employee organization in any setting, venue, or procedure in which the public employer is not a participant.

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

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

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

(l) Administering a collective bargaining agreement.

(m) Participating in labor-management committees.

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

276 (a) Failure to meet at reasonable times and places with
277 representatives of the other party for the purpose of
278 negotiations.

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

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

283 (d) Refusing, upon reasonable written request, to provide
284 public information, excluding work products as defined in s.
285 447.605.

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

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

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

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

301 constituent state university. For purposes of s. 447.403, the
302 board of trustees of a community college shall be deemed to be
303 the legislative body with respect to all employees of the
304 community college.

305 (12)~~(4)~~ "Managerial employees" means ~~are~~ those employees
306 who:

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

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

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

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

318 4. They have a significant role in personnel
319 administration.

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

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

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

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

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

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

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

351 (15) ~~(13)~~ "Professional employee" means:

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

354 1. Work predominantly intellectual and varied in character
355 as opposed to routine mental, manual, mechanical, or physical
356 work. †

357 2. Work involving the consistent exercise of discretion
358 and judgment in its performance. †

359 3. Work of such a character that the output produced or
360 the result accomplished cannot be standardized in relation to a
361 given period of time. † ~~and~~

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

368 (b) Any employee who:

369 1. Has completed the course of specialized intellectual
370 instruction and study described in subparagraph (a)4. ~~4. of~~
371 ~~paragraph (a); and~~

372 2. Is performing related work under supervision of a
373 professional person to qualify to become a professional employee
374 as defined in paragraph (a).

375 (16) ~~(3)~~ "Public employee" means any person employed by a

public employer except:

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

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

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

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

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

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

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

1. Federal license requirement.

2. Federal autonomy regarding investigation and disciplining of appointees.

3. Frequent transfers due to harvesting conditions.

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

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

401 university.

402 (17)~~(2)~~ "Public employer" or "employer" means the state or
403 any county, municipality, or special district or any subdivision
404 or agency thereof which the commission determines has sufficient
405 legal distinctiveness properly to carry out the functions of a
406 public employer. With respect to all public employees determined
407 by the commission as properly belonging to a statewide
408 bargaining unit composed of State Career Service System
409 employees or Selected Professional Service employees, the
410 Governor is deemed to be the public employer; and the Board of
411 Governors of the State University System, or the board's
412 designee, is deemed to be the public employer with respect to
413 all public employees of each constituent state university. The
414 board of trustees of a community college is deemed to be the
415 public employer with respect to all employees of the community
416 college. The district school board is deemed to be the public
417 employer with respect to all employees of the school district.
418 The Board of Trustees of the Florida School for the Deaf and the
419 Blind is deemed to be the public employer with respect to the
420 academic and academic administrative personnel of the Florida
421 School for the Deaf and the Blind. The Governor is deemed to be
422 the public employer with respect to all employees in the
423 Correctional Education Program of the Department of Corrections
424 established pursuant to s. 944.801.

425 (18) "Public safety unit" means a bargaining unit in which

426 the majority of the public employees are employed as a law
427 enforcement officer, correctional officer, or correctional
428 probation officer, as those terms are defined in s. 943.10(1),
429 (2), or (3), respectively; a firefighter as defined in s.
430 633.102(9); a 911 public safety telecommunicator as defined in
431 s. 401.465(1); or an emergency medical technician or a
432 paramedic, as those terms are defined in s. 401.23.

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

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

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

451 deliberate and concerted course of conduct which adversely
452 affects the services of the public employer; the concerted
453 failure of employees to report for work after the expiration of
454 a collective bargaining agreement; and picketing in furtherance
455 of a work stoppage. The term includes ~~"strike"~~ ~~shall also mean~~
456 any overt preparation, including, but not limited to, the
457 establishment of strike funds with regard to the ~~above-listed~~
458 activities listed in this subsection.

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

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

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

473 447.205 Public Employees Relations Commission.—

474 (8) The commission shall have a seal for authentication of
475 its orders and proceedings, upon which shall be inscribed the

476 words "State of Florida-Public Employees Relations Commission"
477 ~~"State of Florida-Employees Relations Commission"~~ and which shall
478 be judicially noticed.

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

481 447.207 Commission; powers and duties.—

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

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

~~certified mail is used, is proof of service. All process of any court to which application may be made under the provisions of this part shall be served in the county wherein the persons required to be served reside or may be found.~~

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

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

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

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

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

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

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

447.301 Public employees' rights; organization and representation.—

(1)

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

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

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

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

576 joining and paying membership dues to a labor union is protected
577 by both Florida's right-to-work law and the First Amendment of
578 the United States Constitution. A public employer may not
579 discriminate against a public ~~No employee may be discriminated~~
580 ~~against in any manner~~ for joining and financially supporting, a
581 ~~labor union~~ or ~~for~~ refusing to join and ~~or~~ financially support,
582 a labor union.

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

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

597 6. This paragraph does not apply to public employees in
598 public safety units ~~members of a bargaining unit the majority of~~
599 ~~whose employees eligible for representation are employed as law~~
600 ~~enforcement officers, correctional officers, or correctional~~

~~probation officers as those terms are defined in s. 943.10(1),~~
~~(2), or (3), respectively; firefighters as defined in s.~~
~~633.102; 911 public safety telecommunicators as defined in s.~~
~~401.465(1)(a); or emergency medical technicians or paramedics as~~
~~defined in s. 401.23.~~

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

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

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

447.303 Membership dues; deduction and collection.—

(1) Except as authorized in subsection (2) or subject to a waiver of the prohibition on membership dues deduction granted pursuant to s. 447.207(12), a public employer may not engage in membership dues deduction on behalf of ~~s. 447.207(12)(a),~~ an employee organization ~~that has been certified as a bargaining agent may not have its dues and uniform assessments deducted and~~

626 ~~collected by the employer from the salaries of those employees~~
627 ~~in the unit. A public employee may pay membership dues and~~
628 ~~uniform assessments directly to the employee organization, any~~
629 ~~parent organization of the employee organization, and any~~
630 ~~affiliate of either the employee organization or the parent~~
631 ~~organization that has been certified as the bargaining agent.~~

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

~~employer and employee organization. Said deductions shall commence upon the bargaining agent's written request to the employer.~~

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

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

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

447.305 Registration of employee organizations ~~organization.~~

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

676 recertification, or unit clarification ~~representation~~ hearing;;
677 participate in a certification or recertification ~~representation~~
678 election;; or be certified as a ~~an exclusive~~ bargaining agent.
679 The application for registration required by this section must
680 ~~shall~~ be under oath, and in such form as the commission may
681 prescribe, and shall include all of the following:

682 (a) The name and address of the organization and ~~of any~~
683 parent organization or affiliate of the employee organization
684 ~~with which it is affiliated.~~

685 (b) The names and addresses of the principal officers and
686 all representatives of the organization.

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

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

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

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

701 (g) A copy of the current constitution and bylaws of the
702 employee organization.

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

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

commission ~~may prescribe~~:

(a) Assets and liabilities at the beginning and end of the fiscal year.~~;~~

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

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

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

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

(f) Direct and indirect loans to any business enterprise,

751 together with a statement of the purpose, security, if any, and
752 arrangements for repayment.

753 (g) The amount of membership dues retained by or
754 distributed to each of the following: the employee organization,
755 any parent organization of the employee organization, and any
756 affiliate of either the employee organization or the parent
757 organization.

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

767 (a) For each bargaining unit for which the bargaining
768 agent is certified, the certification number assigned to the
769 bargaining unit by the commission.

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

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

776 ~~(d)-(b)~~ For each certification, the number of public
777 employees in the bargaining unit who have submitted signed
778 membership authorization forms without a subsequent revocation
779 of such membership.

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

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

784 (e) Verification Documentation ~~provided~~ by an independent
785 certified public accountant of ~~retained by the employee~~
786 ~~organization which verifies~~ the information provided in
787 paragraphs (b), (c), and (d) ~~(a)-(d)~~.

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

795 (5) ~~An application for renewal of registration is~~
796 ~~incomplete and is not eligible for consideration by~~ The
797 commission must notify the bargaining agent ~~if it does not~~
798 ~~include all of the information or verification and documentation~~
799 required in subsection (3) is incomplete. The bargaining agent
800 must provide the missing information or verification to the

801 commission within 30 days after such notification. If the
802 bargaining agent fails to provide the missing information or
803 verification within 30 days after notification, the commission
804 must dismiss the application ~~The commission shall notify the~~
805 ~~employee organization if the application is incomplete. An~~
806 ~~incomplete application must be dismissed if the required~~
807 ~~information and documentation are not provided within 10 days~~
808 ~~after the employee organization receives such notice.~~

809 (6) The commission must notify the bargaining agent when
810 the information and verification required in subsection (3) is
811 complete. Within 30 days after such notification, the bargaining
812 agent must petition for recertification pursuant to s. 447.307
813 for each of its bargaining units ~~Notwithstanding the provisions~~
814 ~~of this chapter relating to collective bargaining, an employee~~
815 ~~organization certified as a bargaining agent to represent a~~
816 ~~bargaining unit~~ for which less than 60 percent of the public
817 unit employees in the bargaining unit have submitted membership
818 authorization forms without subsequent revocation and paid
819 membership dues to the organization, as reported under
820 subsection (3) during its last registration period must petition
821 ~~the commission pursuant to s. 447.307(2) and (3) for~~
822 ~~recertification as the exclusive representative of all employees~~
823 ~~in the bargaining unit within 30 days after the date on which~~
824 ~~the employee organization applies for renewal of registration~~
825 ~~pursuant to subsection (2). The certification of an employee~~

organization that does not comply with this section is revoked.

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

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

(a) Failed to cooperate with the investigation conducted pursuant to this subsection, including refusal to permit the

commission or one of its designated agents to inspect membership authorization forms or revocations pursuant to s.

447.301(1)(b)5.; or

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

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

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

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

876 be deposited in the General Revenue Fund.

877 (11) Every employee organization shall keep accurate
878 accounts of its income and expenses, which accounts must ~~shall~~
879 be open for inspection at a all reasonable time and place ~~times~~
880 ~~by any member of the organization or by the commission or a~~
881 public employee in a bargaining unit for which the employee
882 organization is the bargaining agent. ~~In addition, each employee~~
883 ~~organization that has been certified as a bargaining agent must~~
884 ~~provide to its members an annual financial report prepared by an~~
885 ~~independent certified public accountant licensed under chapter~~
886 ~~473 that includes a detailed breakdown of revenues and~~
887 ~~expenditures in such categories as the commission may prescribe,~~
888 ~~and an accounting of membership dues and assessments. The~~
889 ~~employee organization must notify its members annually of all~~
890 ~~costs of membership.~~

891 (12) The certification of an employee organization that
892 does not comply with this section is revoked. An employee
893 organization that has its certification revoked under this
894 subsection may not file a petition for certification under s.
895 447.307 which covers any of the public employees in the
896 bargaining unit described in the revoked certification for at
897 least 12 months after the date the certification was revoked.

898 (13) A decision issued by the commission under this
899 section which revokes a certification, revokes a registration,
900 or grants, denies, or dismisses an application for registration

901 or renewal of registration is a final agency action that is
902 reviewable pursuant to s. 447.504.

903 **Section 11. Section 447.307, Florida Statutes, is amended**
904 **to read:**

905 447.307 Certification and recertification of employee
906 organizations ~~organization.~~

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

926 ~~criteria used in this part, the commission shall immediately~~
927 ~~certify the employee organization as the exclusive~~
928 ~~representative of all employees in the unit. If the unit is~~
929 ~~inappropriate according to the criteria used in this part, the~~
930 ~~commission may dismiss the petition.~~

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

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

951 ~~statements signed by~~ at least 10 percent of the public employees
952 in the proposed or existing bargaining unit, ~~indicating that~~
953 ~~such employees desire to be represented for the purposes of~~
954 ~~collective bargaining by the moving employee organization.~~ The
955 showing of interest petitions and dated statements must be
956 signed and dated by the public employees not more than 12 months
957 before the filing of the petition.

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

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

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

976 results of a certification, recertification, or decertification
977 election covering any of the public employees in the proposed or
978 existing bargaining unit.

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

992 (3) ~~(a)~~ The commission or one of its designated agents
993 shall investigate a certification or recertification ~~the~~
994 petition to determine its sufficiency; ~~if it has reasonable~~
995 ~~cause to believe that the petition is sufficient, the commission~~
996 ~~shall provide for an appropriate hearing upon due notice. Such a~~
997 ~~hearing may be conducted by an agent of the commission. If the~~
998 ~~commission finds that the petition is to be insufficient, the~~
999 ~~commission must~~ it may dismiss the petition. If the commission
1000 finds ~~upon the record of the hearing~~ that the petition is

1001 sufficient, the commission must ~~it shall immediately~~:

1002 (a)1- Define the proposed or existing bargaining unit and
1003 determine which public employees are ~~shall be~~ qualified and
1004 entitled to vote at any election held by the commission. Upon
1005 providing due notice, the commission may provide for a hearing.

1006 (b)2- Identify the public employer or employers for
1007 purposes of collective bargaining ~~with the bargaining agent.~~

1008 (c)3- Order an election by secret ballot, the cost of said
1009 election and any required runoff election to be borne equally by
1010 the parties, except as the commission may provide by rule. The
1011 commission's order assessing costs of an election may be
1012 enforced pursuant to ~~the provisions of~~ this part.

1013 (4) (a) Except as provided in paragraph (b), elections are
1014 determined as follows for all certification or recertification
1015 petitions filed on or after July 1, 2026:

1016 1.(b)- ~~If When~~ an employee organization is selected by a
1017 majority vote of the public employees who are in the bargaining
1018 unit as of the date set by the commission ~~voting in an election,~~
1019 the commission shall certify or recertify the employee
1020 organization as the ~~exclusive collective~~ bargaining agent for
1021 the public ~~representative of all~~ employees in the unit.

1022 2. A runoff election shall be held according to rules
1023 adopted by the commission if, in the election conducted under
1024 subparagraph 1., there was more than one employee organization
1025 on the ballot, a majority of the public employees who are in the

1026 bargaining unit as of the date set by the commission voted in
1027 the election, and none of the choices on the ballot received a
1028 majority vote of the public employees who are in the bargaining
1029 unit as of the date set by the commission.

1030 (b) Certification elections involving public safety units
1031 are determined as follows:

1032 1. If an employee organization is selected by a majority
1033 vote of the public employees voting in the election, the
1034 commission shall certify the employee organization as the
1035 bargaining agent for the public employees in the bargaining
1036 unit.

1037 2. A runoff election shall be held according to rules
1038 adopted by the commission if, in the election conducted under
1039 subparagraph 1., there was more than one employee organization
1040 on the ballot and none of the choices on the ballot received a
1041 majority vote of the public employees voting in the election.

1042 (c) Certification, recertification, or revocation under
1043 this section is effective upon the issuance of a ~~the~~ final order
1044 by the commission or, if the final order is appealed, at the
1045 time the appeal is exhausted or any stay is vacated by the
1046 commission or a ~~the~~ court.

1047 ~~(e) In any election in which none of the choices on the~~
1048 ~~ballot receives the vote of a majority of the employees voting,~~
1049 ~~a runoff election shall be held according to rules promulgated~~
1050 ~~by the commission.~~

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

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

(a) The principles of efficient administration of government.

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

(c) The compatibility of the unit with the joint

responsibilities of the public employer and public employees to represent the public.

(d) The power of the officials of government at the level of the unit to agree, or make effective recommendations to another administrative authority or to a legislative body, with respect to matters of employment upon which the employee desires to negotiate.

(e) The organizational structure of the public employer.

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

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

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

3. The interdependence of jobs and interchange of employees.

4. The desires of the employees.

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

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

(h) Such other factors and policies as the commission may

1101 deem appropriate.

1102
1103 However, a bargaining ~~no~~ unit may not ~~shall~~ be established or
1104 approved for purposes of collective bargaining which includes
1105 both professional and nonprofessional employees unless a
1106 majority of each group votes for inclusion in such bargaining
1107 unit.

1108 **Section 12. Section 447.3076, Florida Statutes, is created**
1109 **to read:**

1110 447.3076 Clarification of bargaining units.—

1111 (1) A petition to clarify the composition of a bargaining
1112 unit may be filed with the commission when significant changes
1113 in statutory law or case law require clarification of the
1114 bargaining unit or when a classification was:

1115 (a) Created or substantially changed after the unit was
1116 initially defined by the commission;

1117 (b) Retitled with no substantial change in job duties; or

1118 (c) Included or excluded through inadvertence or
1119 misunderstanding by the commission.

1120 (2) A bargaining unit clarification petition may be filed
1121 by the bargaining agent for the bargaining unit or by the public
1122 employer of the public employees in the unit.

1123 (3) A copy of the petition must be served on the public
1124 employer and any bargaining agent that is certified to represent
1125 any employee or classification which may be substantially

affected by the proposed bargaining unit clarification.

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

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

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

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

(1) A public ~~Any~~ employee or group of public employees that ~~which~~ no longer desires to be represented by a ~~the~~ certified bargaining agent may file with the commission a petition to decertify the bargaining agent ~~revoke certification~~. The petition ~~must~~ shall be accompanied by a showing of interest from dated statements signed by at least 30 percent of the public employees in the bargaining unit, ~~indicating that such employees no longer desire to be represented for purposes of collective bargaining by the certified bargaining agent. The time of filing said petition shall be governed by the provisions of s. 447.307(3)(d) relating to petitions for certification. The~~ showing of interest statements must be signed and dated by the

1151 public employees not more than 12 months before the filing of
1152 the petition. Any employee, employer, or employee organization
1153 having sufficient reason to believe that the showing of interest
1154 was any of the employee signatures were obtained by collusion,
1155 coercion, intimidation, or misrepresentation or is are otherwise
1156 invalid shall be given a reasonable opportunity to verify and
1157 challenge the showing of interest signatures appearing on the
1158 petition.

1159 (2) (a) A decertification petition may not be filed
1160 regarding the bargaining unit within 12 months after the date
1161 the commission issues an order that verifies the results of a
1162 certification, recertification, or decertification election
1163 covering any of the public employees in the unit.

1164 (b) If a valid collective bargaining agreement covering
1165 any of the public employees in the bargaining unit is in effect,
1166 a decertification petition may only be filed with the commission
1167 at least 90 but not more than 150 days immediately preceding the
1168 expiration date of the collective bargaining agreement, or at
1169 any time after such agreement's expiration date but before the
1170 effective date of a new collective bargaining agreement. The
1171 effective date of a collective bargaining agreement is the date
1172 of ratification of such agreement by both parties if such
1173 agreement becomes effective immediately or retroactively, or the
1174 collective bargaining agreement's actual effective date if such
1175 agreement becomes effective after its ratification date.

1176 (3) The commission or one of its designated agents shall
1177 investigate the decertification petition to determine its
1178 sufficiency. If the commission finds that the petition is to be
1179 insufficient, the commission must ~~it may~~ dismiss the petition.
1180 If the commission finds that the petition is sufficient, the
1181 commission must ~~it shall immediately~~:

1182 (a) Identify the bargaining unit and determine which
1183 public employees shall be qualified and entitled to vote in the
1184 election held by the commission.

1185 (b) Identify the public employer or employers of the
1186 bargaining unit.

1187 (c) Order an election by secret ballot, the cost of said
1188 election to be borne equally by the parties, except as the
1189 commission may provide by rule. The commission's order assessing
1190 costs of an election may be enforced pursuant to ~~the provisions~~
1191 ~~of~~ this part.

1192 (4) (a) Except as provided in paragraph (b), elections are
1193 determined as follows for all decertification petitions filed on
1194 or after July 1, 2026:

1195 1. If decertification of the bargaining agent is selected
1196 by a majority vote of the public employees who are in the
1197 bargaining unit as of the date set by the commission, the
1198 commission shall revoke the bargaining agent's certification for
1199 that bargaining unit.

1200 2. If decertification is not selected by a majority vote

1201 of the public employees who are in the bargaining unit as of the
1202 date set by the commission, the bargaining agent shall retain
1203 its certification for that bargaining unit.

1204 (b) Decertification elections involving public safety
1205 units are determined as follows:

1206 1.(2) If decertification is selected by a majority vote of
1207 the public employees voting in the such election ~~vote against~~
1208 ~~the continuation of representation by the certified bargaining~~
1209 ~~agent, the commission shall revoke the certification of the~~
1210 ~~employee organization as the exclusive bargaining agent's~~
1211 certification for that agent for the employees in the bargaining
1212 unit shall be revoked.

1213 2.(3) If decertification is not selected by a majority
1214 vote of the public employees voting in the such election ~~do not~~
1215 ~~vote against the continuation of representation by the certified~~
1216 ~~bargaining agent, the bargaining agent shall retain its~~
1217 certification for that bargaining of the employee organization
1218 ~~as the exclusive bargaining agent for the employees in the unit~~
1219 ~~shall be retained by the organization.~~

1220 (c) Revocation under this section is effective upon the
1221 issuance of a final order by the commission or, if the final
1222 order is appealed, at the time the appeal is exhausted or any
1223 stay is vacated by the commission or a court.

1224 **Section 14. Section 447.309, Florida Statutes, is amended**
1225 **to read:**

1226 447.309 Collective bargaining; approval or rejection.—

1227 (1) After an employee organization has been certified as
1228 the bargaining agent of a bargaining unit pursuant to ~~the~~
1229 ~~provisions of~~ this part, the bargaining agent ~~for the~~
1230 ~~organization~~ and the chief executive officer of the appropriate
1231 public employer or employers, jointly, shall bargain
1232 collectively in the determination of the wages, hours, and terms
1233 and conditions of employment of the public employees within the
1234 bargaining unit. The chief executive officer or his or her
1235 representative and the bargaining agent or its representative
1236 shall meet at reasonable times and bargain in good faith. In
1237 conducting negotiations with the bargaining agent, the chief
1238 executive officer or his or her representative shall consult
1239 with, and attempt to represent the views of, the legislative
1240 body of the public employer. Any collective bargaining agreement
1241 reached by the negotiators shall be reduced to writing, and such
1242 agreement shall be signed by the chief executive officer and the
1243 bargaining agent. Any agreement signed by the chief executive
1244 officer and the bargaining agent is ~~shall~~ not be binding on the
1245 public employer until such agreement has been ratified by the
1246 public employer and the ~~by~~ public employees in ~~who are members~~
1247 ~~of the bargaining unit, subject to subsection the provisions of~~
1248 ~~subsections (2) and (3).~~ However, with respect to statewide
1249 bargaining units, any agreement signed by the Governor and the
1250 bargaining agent for such a bargaining unit is ~~shall~~ not be

1251 binding until approved by the public employees in ~~who are~~
1252 ~~members of~~ the bargaining unit, subject to subsection ~~the~~
1253 ~~provisions of subsections~~ (2) and (3).

1254 (2) (a) Upon execution of the collective bargaining
1255 agreement, the chief executive shall, in his or her annual
1256 budget request or by other appropriate means, request the
1257 legislative body to appropriate such amounts as shall be
1258 sufficient to fund the provisions of the collective bargaining
1259 agreement.

1260 (b) If the state is a party to a collective bargaining
1261 agreement in which less than the requested amount is
1262 appropriated by the Legislature, the collective bargaining
1263 agreement shall be administered on the basis of the amounts
1264 appropriated by the Legislature. The failure of the Legislature
1265 to appropriate funds sufficient to fund the collective
1266 bargaining agreement shall not constitute, or be evidence of,
1267 any unfair labor practice. All collective bargaining agreements
1268 entered into by the state are subject to the appropriations
1269 powers of the Legislature, and the provisions of this section
1270 shall not conflict with the exclusive authority of the
1271 Legislature to appropriate funds.

1272 ~~(3) If any provision of a collective bargaining agreement~~
1273 ~~is in conflict with any law, ordinance, rule, or regulation over~~
1274 ~~which the chief executive officer has no amendatory power, the~~
1275 ~~chief executive officer shall submit to the appropriate~~

1276 ~~governmental body having amendatory power a proposed amendment~~
1277 ~~to such law, ordinance, rule, or regulation. Unless and until~~
1278 ~~such amendment is enacted or adopted and becomes effective, the~~
1279 ~~conflicting provision of the collective bargaining agreement~~
1280 ~~shall not become effective.~~

1281 (3) ~~(4)~~ If the agreement is not ratified by the public
1282 employer or is not approved by a majority ~~vote~~ of the public
1283 employees voting in the unit, in accordance with procedures
1284 adopted by the commission, the agreement shall be returned to
1285 the chief executive officer and the bargaining agent ~~employee~~
1286 ~~organization~~ for further negotiations.

1287 (4) ~~(5)~~ A ~~Any~~ collective bargaining agreement may ~~shall~~ not
1288 provide for a term of existence of more than 3 years and must
1289 ~~shall~~ contain all of the terms and conditions of employment
1290 negotiated by the bargaining agent and the public employer and
1291 all of the disputed impasse issues resolved by the legislative
1292 body's action taken pursuant to s. 447.403 of the employees in
1293 ~~the bargaining unit during such term except those terms and~~
1294 ~~conditions provided for in applicable merit and civil service~~
1295 ~~rules and regulations.~~

1296 **Section 15. Section 447.401, Florida Statutes, is amended**
1297 **to read:**

1298 447.401 Grievance procedures.—Each public employer and
1299 bargaining agent shall negotiate a grievance procedure to be
1300 used for the settlement of disputes between a public employer

1301 and a public employee, or a group of public employees, involving
1302 the interpretation or application of a collective bargaining
1303 agreement. ~~The~~ Such grievance procedure must ~~shall~~ have as its
1304 terminal step a final and binding disposition by an impartial
1305 neutral, mutually selected by the parties; however, when the
1306 issue under appeal is an allegation of abuse, abandonment, or
1307 neglect of a child by a public ~~an~~ employee under s. 39.201 or an
1308 allegation of abuse, neglect, or exploitation of a vulnerable
1309 adult by a public employee under s. 415.1034, the grievance may
1310 not be decided until such allegation ~~the abuse, abandonment, or~~
1311 ~~neglect of a child~~ has been judicially determined. However, an
1312 arbitrator ~~arbiter~~ or other neutral may ~~shall~~ not ~~have the power~~
1313 ~~to~~ add to, subtract from, modify, or alter the terms of a
1314 collective bargaining agreement. If an employee organization is
1315 certified as the bargaining agent of a bargaining unit, the
1316 grievance procedure then in existence may be the subject of
1317 collective bargaining, and any agreement that ~~which~~ is reached
1318 shall supersede the previously existing procedure. All public
1319 employees ~~shall~~ have the right to a fair and equitable grievance
1320 procedure administered without regard to membership or
1321 nonmembership in any employee organization, except that
1322 bargaining agents may ~~certified employee organizations shall not~~
1323 be required to process grievances for public employees who are
1324 not members of the employee organization. A public ~~career~~
1325 ~~service~~ employee may use ~~shall have the option of utilizing the~~

1326 civil service appeal procedure, an unfair labor practice
1327 procedure, or a grievance procedure established under this
1328 section, but may not avail ~~such employee is precluded from~~
1329 ~~availing~~ himself or herself of ~~to~~ more than one of these
1330 procedures.

1331 **Section 16. Subsections (1) through (4) of section**
1332 **447.403, Florida Statutes, are amended to read:**

1333 447.403 Resolution of impasses.—

1334 (1) If, after a reasonable period of negotiation
1335 concerning the terms and conditions of employment to be
1336 incorporated in a collective bargaining agreement, a dispute
1337 exists between a public employer and a bargaining agent, either
1338 party may declare an impasse by providing written notification
1339 ~~shall be deemed to have occurred when one of the parties so~~
1340 ~~declares in writing~~ to the other party and to the commission.
1341 When an impasse occurs, the public employer or the bargaining
1342 agent, or both parties acting jointly, may use ~~appoint~~, or
1343 secure the services ~~appointment~~ of, a mediator to assist in the
1344 resolution of the impasse. If the Governor is the public
1345 employer or for an impasse declared pursuant to s. 447.4095, a
1346 ~~no~~ mediator may not ~~shall~~ be appointed.

1347 (2) (a) If a no mediator is not used under subsection (1)
1348 ~~appointed~~, or upon the request of either party, the commission
1349 must ~~shall~~ appoint, and submit all unresolved issues to, a
1350 special magistrate acceptable to both parties. If the parties

1351 are unable to agree on the appointment of a special magistrate,
1352 the commission must ~~shall~~ appoint, in its discretion, a
1353 qualified special magistrate. However, if the parties agree in
1354 writing to waive the appointment of a special magistrate, the
1355 parties may proceed directly to resolution of the impasse by the
1356 legislative body pursuant to paragraph (4)(d). Nothing in this
1357 section precludes the parties from using the services of a
1358 mediator at any time during the conduct of collective
1359 bargaining.

1360 (b) If the Governor is the public employer, a ~~no~~ special
1361 magistrate may not ~~shall~~ be appointed. The parties must ~~may~~
1362 proceed directly to the Legislature for resolution of the
1363 impasse pursuant to paragraph (4)(d).

1364 (c) For an impasse declared pursuant to s. 447.4095(2),
1365 the parties must agree on a special magistrate and submit the
1366 agreed-upon name to the commission within 5 calendar days after
1367 the declaration of impasse. Within 2 business days after the
1368 submission of the special magistrate's name, the commission must
1369 appoint the agreed-upon special magistrate. If the parties do
1370 not submit the name of an agreed-upon special magistrate to the
1371 commission within 5 calendar days after the declaration of
1372 impasse, the commission must appoint a special magistrate of its
1373 choosing within 5 calendar days after the parties' deadline to
1374 submit the name of the agreed-upon special magistrate. Within 5
1375 calendar days after the special magistrate is appointed, each

1376 party must submit a list of issues at impasse to the special
1377 magistrate and serve a copy of the list on the other party at
1378 the same time.

1379 (3) The special magistrate must ~~shall~~ hold a hearing
1380 ~~hearings~~ in order to define the area or areas of dispute, to
1381 determine facts relating to the dispute, and to render a
1382 decision on any and all unresolved contract issues. The hearing
1383 must ~~hearings shall~~ be held at a time, date, and place ~~times,~~
1384 ~~dates, and places~~ to be established by the special magistrate in
1385 accordance with rules adopted ~~promulgated~~ by the commission. For
1386 an impasse declared pursuant to s. 447.4095(2), a hearing must
1387 be held within 20 calendar days after the parties submit the
1388 list of issues at impasse to the special magistrate. The special
1389 magistrate may ~~shall be empowered to~~ administer oaths and issue
1390 subpoenas on behalf of the parties to the dispute or on his or
1391 her own behalf. Within 15 calendar days after the close of the
1392 ~~final~~ hearing, or 7 calendar days after the close of the hearing
1393 for an impasse declared pursuant to s. 447.4095(2), the special
1394 magistrate must submit ~~shall transmit~~ his or her recommended
1395 decision to the commission and to the representatives of both
1396 parties by any method of service that establishes proof of
1397 delivery ~~registered mail, return receipt requested~~. Such
1398 recommended decision must ~~shall~~ be discussed by the parties, and
1399 each recommendation of the special magistrate is ~~shall be~~ deemed
1400 approved by both parties unless specifically rejected by either

1401 party by written notice filed with the commission within 20
1402 calendar days, or 10 calendar days for an impasse declared
1403 pursuant to s. 447.4095(2), after the date the party received
1404 the special magistrate's recommended decision. The written
1405 notice must ~~shall~~ include a statement of the cause for each
1406 rejection and ~~shall~~ be served upon the other party at the same
1407 time as it is filed with the commission.

1408 (4) If either the public employer or the bargaining agent
1409 ~~employee organization~~ does not accept, in whole or in part, the
1410 recommended decision of the special magistrate, all of the
1411 following procedures apply:

1412 (a) The chief executive officer of the governmental entity
1413 involved shall, within 10 calendar days after rejection of a
1414 recommendation of the special magistrate, submit to the
1415 legislative body of the governmental entity involved a copy of
1416 the findings of fact and recommended decision of the special
1417 magistrate, together with the chief executive officer's
1418 recommendations for settling the disputed impasse issues. The
1419 chief executive officer shall also submit ~~transmit~~ his or her
1420 recommendations to the bargaining agent at the same time as the
1421 recommendations are submitted to the legislative body. ~~employee~~
1422 ~~organization;~~

1423 (b) Within 10 calendar days after rejection of a
1424 recommendation of the special magistrate, the bargaining agent
1425 ~~employee organization~~ shall submit its recommendations for

1426 settling the disputed impasse issues to such legislative body
1427 and to the chief executive officer.~~†~~

1428 (c) The legislative body or its ~~a~~ duly authorized
1429 committee ~~thereof~~ shall ~~forthwith~~ conduct a public hearing at
1430 which the parties shall ~~be required to~~ explain their positions
1431 with respect to the rejected recommendations of the special
1432 magistrate. For an impasse declared pursuant to s. 447.4095(2),
1433 the legislative body must conduct the public hearing within 20
1434 calendar days after the parties submit their recommendations to
1435 the legislative body.~~†~~

1436 (d) Thereafter, the legislative body shall take such
1437 action as it deems to be in the public interest, including the
1438 interest of the public employees involved, to resolve all
1439 disputed impasse issues. For an impasse declared pursuant to s.
1440 447.4095(2), the legislative body must take action within 10
1441 calendar days after the close of the public hearing.~~† and~~

1442 (e)1. Following the resolution of the disputed impasse
1443 issues by the legislative body, the parties shall reduce to
1444 writing an agreement which includes those issues agreed to by
1445 the parties and those disputed impasse issues resolved by the
1446 legislative body's action taken pursuant to paragraph (d). For
1447 an impasse declared pursuant to s. 447.4095(2), the parties must
1448 reduce the agreement to writing within 10 calendar days after
1449 the resolution of the disputed impasse issues by the legislative
1450 body.

1451 2. The agreement must ~~shall~~ be signed by the chief
1452 executive officer and the bargaining agent and ~~shall~~ be
1453 submitted to the public employer and ~~to~~ the public employees in
1454 who are members of the bargaining unit for ratification. For an
1455 impasse declared pursuant to s. 447.4095(2), the chief executive
1456 officer and the bargaining agent must sign the agreement within
1457 7 calendar days after the agreement is reduced to writing and
1458 must submit the agreement to the public employer and the
1459 bargaining unit for ratification within 10 calendar days after
1460 the agreement is signed. For an impasse declared pursuant to s.
1461 447.4095(2), the agreement must be signed, submitted, and
1462 ratified separately from other bargainable issues.

1463 3. If the ~~such~~ agreement is not ratified by all parties,
1464 pursuant to ~~the provisions of~~ s. 447.309, the legislative body's
1465 action taken pursuant to ~~the provisions of~~ paragraph (d) shall
1466 take effect as of the date of such legislative body's action for
1467 the remainder of the first fiscal year which was the subject of
1468 negotiations; however, the legislative body's action may ~~shall~~
1469 not take effect with respect to those disputed impasse issues
1470 that ~~which~~ establish the language of contractual provisions that
1471 ~~which~~ could have no effect in the absence of a ratified
1472 agreement, including, but not limited to, preambles, recognition
1473 clauses, and duration clauses.

1474 **Section 17. Section 447.405, Florida Statutes, is amended**
1475 **to read:**

1476 447.405 Factors to be considered by the special
1477 magistrate.—The special magistrate shall conduct the hearings
1478 and render recommended decisions with the objective of achieving
1479 a prompt, peaceful, and just settlement of disputes between the
1480 bargaining agents ~~public employee organizations~~ and the public
1481 employers. The factors, ~~among others,~~ to be given weight by the
1482 special magistrate in arriving at a recommended decision must
1483 ~~shall~~ include:

1484 (1) Comparison of the annual income of employment of the
1485 public employees in question with the annual income of
1486 employment maintained for the same or similar work of employees
1487 exhibiting like or similar skills under the same or similar
1488 working conditions in the local operating area involved.

1489 (2) Comparison of the annual income of employment of the
1490 public employees in question with the annual income of
1491 employment of public employees in similar public employee
1492 governmental bodies of comparable size within this ~~the~~ state.

1493 (3) The interest and welfare of the public.

1494 (4) Comparison of peculiarities of employment in regard to
1495 other trades or professions, specifically with respect to:

- 1496 (a) Hazards of employment.
1497 (b) Physical qualifications.
1498 (c) Educational qualifications.
1499 (d) Intellectual qualifications.
1500 (e) Job training and skills.

(f) Retirement plans.

(g) Sick leave.

(h) Job security.

(5) Availability of funds.

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

447.4095 Financial urgency.—

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

(2) Salary increases appropriated by the Legislature are, for purposes of this section, considered a financial urgency. In the event of salary increases appropriated by the Legislature

1526 which require modification of an agreement, the chief executive
1527 officer or his or her representative and the bargaining agent or
1528 its representative must meet within 15 calendar days after the
1529 effective date of the appropriation to negotiate the impact of
1530 the financial urgency. If 30 calendar days after the effective
1531 date of the appropriation, a dispute exists between the public
1532 employer and the bargaining agent as to the impact of the
1533 financial urgency, one of the parties must, within 2 business
1534 days, declare an impasse in writing to the other party and to
1535 the commission. The parties must then proceed to follow the
1536 requirements under s. 447.403. An unfair labor practice charge
1537 may not be filed during the 30-day period of negotiations or
1538 while the parties are proceeding through the resulting impasse
1539 process. This subsection does not apply to public employees in
1540 public safety units, as defined in s. 447.203.

1541 **Section 19. Paragraphs (c) and (f) of subsection (1) and**
1542 **subsection (2) of section 447.501, Florida Statutes, are**
1543 **amended, and paragraph (g) is added to subsection (1) of that**
1544 **section, to read:**

1545 447.501 Unfair labor practices.—

1546 (1) Public employers or their agents or representatives
1547 are prohibited from:

1548 (c) Refusing to bargain collectively, failing to bargain
1549 collectively in good faith, or refusing to sign a final
1550 agreement agreed upon with the ~~certified~~ bargaining agent for

the public employees in the bargaining unit.

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

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

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

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

(b) Causing or attempting to cause a public employer to discriminate against a public ~~an~~ employee because of such ~~the~~

employee's membership or nonmembership in an employee organization or attempting to cause the public employer to violate ~~any of the provisions of~~ this part.

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

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

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

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

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

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

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

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

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

447.507 Violation of strike prohibition; penalties.—

1626 (2) If a public employee, a group of public employees, an
1627 employee organization, or any officer, agent, or representative
1628 of any employee organization engages in a strike in violation of
1629 s. 447.505, either the commission or any public employer whose
1630 public employees are involved or whose public employees may be
1631 affected by the strike may file suit to enjoin the strike in the
1632 circuit court having proper jurisdiction and proper venue of
1633 such actions under the Florida Rules of Civil Procedure and
1634 Florida Statutes. The circuit court shall conduct a hearing,
1635 with notice to the commission and to all interested parties, at
1636 the earliest practicable time. If the plaintiff makes a prima
1637 facie showing that a violation of s. 447.505 is in progress or
1638 that there is a clear, real, and present danger that such a
1639 strike is about to commence, the circuit court must ~~shall~~ issue
1640 a temporary injunction enjoining the strike. Upon final hearing,
1641 the circuit court shall either make the injunction permanent or
1642 dissolve it.

1643 (3) If an injunction to enjoin a strike issued pursuant to
1644 this section is not promptly complied with, on the application
1645 of the plaintiff, the circuit court shall immediately initiate
1646 contempt proceedings against those who appear to be in
1647 violation. An employee organization found to be in contempt of
1648 court for violating an injunction against a strike shall be
1649 fined an amount deemed appropriate by the court. In determining
1650 the appropriate fine, the court shall objectively consider the

1651 extent of lost services and the particular nature and position
1652 of the public employee group in violation. ~~A In no event shall~~
1653 ~~the fine may not exceed \$30,000 \$5,000.~~ Each officer, agent, or
1654 representative of an employee organization found to be in
1655 contempt of court for violating an injunction against a strike
1656 shall be fined at least \$300, but not more than \$600, ~~not less~~
1657 ~~than \$50 nor more than \$100~~ for each calendar day that the
1658 violation is in progress.

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

1676 inaction by the public employer or its agents that provoked or
1677 tended to provoke the strike by the public employees. The trier
1678 of fact shall also take into consideration any damages that
1679 might have been recovered by the public employer under
1680 subparagraph (6) (a) 4.

1681 (5) If the commission, after a hearing on notice conducted
1682 according to rules adopted ~~promulgated~~ by the commission,
1683 determines that a public ~~an~~ employee has violated s. 447.505, it
1684 may order the termination of such employee's ~~his or her~~
1685 employment by the public employer. Notwithstanding any other
1686 provision of law, a person knowingly violating s. 447.505 ~~the~~
1687 ~~provision of said section~~ may, subsequent to such violation, be
1688 appointed, reappointed, employed, or reemployed as a public
1689 employee, but only upon the following conditions:

1690 (a) Such person shall be on probation for ~~a period of~~ 18
1691 months after ~~following~~ his or her appointment, reappointment,
1692 employment, or reemployment, during which period he or she shall
1693 serve without permanent status and at the pleasure of the agency
1694 head.

1695 (b) His or her compensation may not ~~in no event~~ exceed the
1696 compensation ~~that~~ received immediately before ~~prior to~~ the time
1697 of the violation.

1698 (c) The compensation of the person may not be increased
1699 until at least ~~after the expiration of~~ 1 year after ~~from~~ such
1700 appointment, reappointment, employment, or reemployment.

1701 (6) (a) If the commission determines that an employee
1702 organization has violated s. 447.505, it may:

1703 1. Issue cease and desist orders as necessary to ensure
1704 compliance with its order.

1705 2. Suspend or revoke the certification of the ~~employee~~
1706 ~~organization as the~~ bargaining agent of such bargaining ~~employee~~
1707 unit.

1708 3. Revoke any requirement of the public employer to engage
1709 in membership the right of dues deduction for the and collection
1710 ~~previously granted to said~~ employee organization pursuant to s.
1711 447.303.

1712 4. Fine the organization up to \$120,000 ~~\$20,000~~ for each
1713 calendar day of such violation or determine the approximate cost
1714 to the public due to each calendar day of the strike and fine
1715 the organization an amount equal to such cost, regardless of
1716 whether the fine exceeds \$120,000 ~~notwithstanding the fact that~~
1717 ~~the fine may exceed \$20,000~~ for each such calendar day. The
1718 fines so collected ~~shall~~ immediately accrue to the public
1719 employer and must ~~shall~~ be used by the public employer ~~him or~~
1720 ~~her~~ to replace those services denied the public as a result of
1721 the strike. In determining the amount of damages, if any, to be
1722 awarded to the public employer, the commission must consider
1723 ~~shall take into consideration~~ any action or inaction by the
1724 public employer or its agents that provoked, or tended to
1725 provoke, the strike by the public employees.

1726 **Section 22. Subsection (3) of section 447.509, Florida**
1727 **Statutes, is renumbered as subsection (6), and new subsections**
1728 **(3), (4), and (5) are added to that section, to read:**

1729 447.509 Other unlawful acts; exceptions.—

1730 (3) Public employers, their agents or representatives, or
1731 any persons acting on their behalf may not provide any form of
1732 compensation or paid leave to a public employee, directly or
1733 indirectly, for the purpose of engaging in employee organization
1734 activities.

1735 (4) Notwithstanding subsection (3), if the public employer
1736 and the bargaining agent agree, a public employee may do any of
1737 the following:

1738 (a) Be granted time off without pay or benefits to engage
1739 in employee organization activities. An employee organization
1740 may compensate a public employee for engaging in employee
1741 organization activities.

1742 (b) Use compensated personal leave, whether the leave is
1743 the public employee's or is voluntarily donated by other public
1744 employees in the bargaining unit, to engage in employee
1745 organization activities if:

1746 1. The leave is accrued at the same rate by similarly
1747 situated public employees in the bargaining unit without regard
1748 to membership in or participation with an employee organization.

1749 2. The public employee may freely choose how to use the
1750 leave.

1751 (c) Engage in representational employee organization
1752 activities on behalf of the bargaining agent while in a duty
1753 status without loss of pay or benefits.

1754 (5) Subsections (3) and (4) do not apply to public
1755 employees in public safety units.

1756 **Section 23. Subsection (3) of section 110.114, Florida**
1757 **Statutes, is amended to read:**

1758 110.114 Employee wage deductions.—

1759 (3) Notwithstanding ~~the provisions of~~ subsections (1) and
1760 (2), ~~the deduction of an employee's membership dues deductions~~
1761 ~~as defined in s. 447.203 s. 447.203(15) for an employee~~
1762 ~~organization as defined in s. 447.203(11)~~ shall be authorized or
1763 permitted only for an organization that has been certified
1764 pursuant to chapter 447 as the ~~exclusive~~ bargaining agent
1765 ~~pursuant to chapter 447~~ for a unit of public state employees in
1766 ~~which the employee is included~~. Such deductions shall be subject
1767 to ~~the provisions of~~ s. 447.303.

1768 **Section 24. Paragraph (w) of subsection (2) of section**
1769 **110.205, Florida Statutes, is amended to read:**

1770 110.205 Career service; exemptions.—

1771 (2) EXEMPT POSITIONS.—The exempt positions that are not
1772 covered by this part include the following:

1773 (w) Managerial employees and, ~~as defined in s. 447.203(4),~~
1774 confidential employees, as those terms are defined in s. 447.203
1775 ~~s. 447.203(5)~~, and supervisory employees who spend the majority

of their time communicating with, motivating, training, and evaluating employees, and planning and directing employees' work, and who have the authority to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward, or discipline subordinate employees or effectively recommend such action, including all employees serving as supervisors, administrators, and directors. Excluded are employees also designated as special risk or special risk administrative support and attorneys who serve as administrative law judges pursuant to s. 120.65 or for hearings conducted pursuant to s. 120.57(1)(a). Additionally, registered nurses licensed under chapter 464, dentists licensed under chapter 466, psychologists licensed under chapter 490 or chapter 491, nutritionists or dietitians licensed under part X of chapter 468, pharmacists licensed under chapter 465, psychological specialists licensed under chapter 491, physical therapists licensed under chapter 486, and speech therapists licensed under part I of chapter 468 are excluded, unless otherwise collectively bargained.

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

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

(6) TO WHOM INFORMATION DISCLOSED.—The information disclosed under this section must be disclosed to any agency or

federal government entity having the authority to investigate, police, manage, or otherwise remedy the violation or act, including, but not limited to, the Office of the Chief Inspector General, an agency inspector general or the employee designated as agency inspector general under s. 112.3189(1) or inspectors general under s. 20.055, the Florida Commission on Human Relations, and the whistle-blower's hotline created under s. 112.3189. However, for disclosures concerning a local governmental entity, including any regional, county, or municipal entity, special district, community college district, or school district or any political subdivision of any of the foregoing, the information must be disclosed to a chief executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or other appropriate local official.

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

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

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

1826 a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to
1827 a retiree organization for official business use. Lists of names
1828 or addresses of retirees may be exchanged by public agencies,
1829 but such lists shall not be provided to, or open for inspection
1830 by, the public. Any person may view or copy any individual's
1831 retirement records at the Department of Management Services, one
1832 record at a time, or may obtain information by a separate
1833 written request for a named individual for which information is
1834 desired.

1835 **Section 27. Subsection (1) of section 447.02, Florida**
1836 **Statutes, is amended to read:**

1837 447.02 Definitions.—The following terms, when used in this
1838 chapter, shall have the meanings ascribed to them in this
1839 section:

1840 (1) The term "labor organization" means any organization
1841 of employees or local or subdivision thereof, having within its
1842 membership residents of the state, whether incorporated or not,
1843 organized for the purpose of dealing with employers concerning
1844 hours of employment, rate of pay, working conditions, or
1845 grievances of any kind relating to employment and recognized as
1846 a unit of bargaining by one or more employers doing business in
1847 this state, except that an "employee organization," as defined
1848 in s. 447.203 ~~s. 447.203(11)~~, shall be included in this
1849 definition at such time as it seeks to register pursuant to s.
1850 447.305.

1851 **Section 28. Section 447.609, Florida Statutes, is amended**
1852 **to read:**

1853 447.609 Representation in proceedings.—Any full-time
1854 employee or officer of any public employer or employee
1855 organization may represent his or her employer or any public
1856 employee in ~~member of~~ a bargaining unit in any proceeding
1857 authorized in this part, excluding the representation of any
1858 person or public employer in a court of law by a person who is
1859 not a licensed attorney.

1860 **Section 29. Subsection (2) of section 1011.60, Florida**
1861 **Statutes, is amended to read:**

1862 1011.60 Minimum requirements of the Florida Education
1863 Finance Program.—Each district which participates in the state
1864 appropriations for the Florida Education Finance Program shall
1865 provide evidence of its effort to maintain an adequate school
1866 program throughout the district and shall meet at least the
1867 following requirements:

1868 (2) MINIMUM TERM.—Operate all schools for a term of 180
1869 actual teaching days or the equivalent on an hourly basis as
1870 specified by rules of the State Board of Education each school
1871 year. The State Board of Education may prescribe procedures for
1872 altering, and, upon written application, may alter, this
1873 requirement during a national, state, or local emergency as it
1874 may apply to an individual school or schools in any district or
1875 districts if, in the opinion of the board, it is not feasible to

make up lost days or hours, and the apportionment may, at the discretion of the Commissioner of Education and if the board determines that the reduction of school days or hours is caused by the existence of a bona fide emergency, be reduced for such district or districts in proportion to the decrease in the length of term in any such school or schools. A strike, as defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school district may not be considered an emergency.

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