

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

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

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

101 communication systems for a specified time period;
 102 amending s. 447.503, F.S.; authorizing certain public
 103 employers, public employees, and employee
 104 organizations, or combinations thereof, to file
 105 certain charges with the commission; amending s.
 106 447.507, F.S.; increasing fines for certain
 107 violations; amending s. 447.509, F.S.; prohibiting
 108 public employers, their agents or representatives, and
 109 any persons acting on their behalf from taking certain
 110 actions; authorizing certain actions by public
 111 employees under certain circumstances; providing
 112 exceptions; amending ss. 110.114, 110.205, 112.3187,
 113 121.031, 447.02, 447.609, and 1011.60, F.S.;
 114 conforming cross-references and provisions to changes
 115 made by the act; providing an effective date.

116
 117 Be It Enacted by the Legislature of the State of Florida:
 118

119 **Section 1. Paragraph (d) of subsection (6) of section**
 120 **110.227, Florida Statutes, is amended to read:**

121 110.227 Suspensions, dismissals, reductions in pay,
 122 demotions, layoffs, transfers, and grievances.—

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

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

134 **Section 2. Paragraph (a) of subsection (14) of section**
 135 **112.0455, Florida Statutes, is amended to read:**

136 112.0455 Drug-Free Workplace Act.—

137 (14) DISCIPLINE REMEDIES.—

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

151 employee or job applicant and granted by the commission or an
152 arbitrator. The final order must be issued by the commission in
153 accordance with ss. 120.569 and 120.57.

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

156 120.80 Exceptions and special requirements; agencies.—

157 (12) PUBLIC EMPLOYEES RELATIONS COMMISSION.—

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

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

162 295.14 Penalties.—

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

176 shall be conclusive on the agency, employee, or officer
 177 concerned. The attorney ~~attorney's~~ fees and costs may not exceed
 178 \$10,000. The final order must be issued by action of the
 179 commission in accordance with ss. 120.569 and 120.57 ~~shall be in~~
 180 ~~writing and shall be served on the parties concerned by~~
 181 ~~certified mail with return receipt requested.~~

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

184 447.203 Definitions.—As used in this part:

185 (1) ~~(12)~~ "Bargaining agent" means the employee organization
 186 that ~~which~~ has been certified by the commission as representing
 187 the employees in the bargaining unit, as provided in s. 447.307,
 188 or its representative.

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

199 (3) ~~(9)~~ "Chief executive officer" for the state means ~~shall~~
 200 ~~mean~~ the Governor and for other public employers means ~~shall~~

201 ~~mean~~ the person, whether elected or appointed, who is
202 responsible to the legislative body of the public employer for
203 the administration of the governmental affairs of the public
204 employer.

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

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

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

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

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

226 with a public employer.

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

232 (a) Supporting or opposing a candidate for federal, state,
233 or local public office.

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

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

240 (d) Seeking certification as a bargaining agent.

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

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

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

251 (h) Representing or speaking on behalf of an employee
 252 organization or any parent organization or affiliate of the
 253 employee organization in any setting, venue, or procedure in
 254 which the public employer is not a participant.

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

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

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

262 (l) Administering a collective bargaining agreement.

263 (m) Participating in labor-management committees.

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

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

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

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

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

285 (d) Refusing, upon reasonable written request, to provide
286 public information, excluding work products as defined in s.
287 447.605.

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

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

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

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

301 University System, or the board's designee, shall be deemed to
302 be the legislative body with respect to all employees of each
303 constituent state university. For purposes of s. 447.403, the
304 board of trustees of a community college shall be deemed to be
305 the legislative body with respect to all employees of the
306 community college.

307 (12)~~(4)~~ "Managerial employees" means ~~are~~ those employees
308 who:

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

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

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

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

320 4. They have a significant role in personnel
321 administration.

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

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

325 7. They have a significant role in the preparation or

326 administration of budgets for any public agency or institution
 327 or subdivision thereof.

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

337
 338 However, in determining whether an individual is a managerial
 339 employee pursuant to paragraph (a) or paragraph (b), ~~above~~, the
 340 commission may consider historic relationships of the employee
 341 to the public employer and to coemployees.

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

347 ~~(14)-(15)~~ "Membership dues deduction" means the practice by
 348 ~~of~~ a public employer of deducting membership dues ~~and uniform~~
 349 ~~assessments~~ from the salary or wages of a public employee and.
 350 ~~Such term also means the practice of a public employer of~~

351 transmitting the sums so deducted to an ~~such~~ employee
352 organization on behalf of the public employee.

353 (15)~~(13)~~ "Professional employee" means:

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

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

359 2. Work involving the consistent exercise of discretion
360 and judgment in its performance.†

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

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

370 (b) Any employee who:

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

374 2. Is performing related work under supervision of a
375 professional person to qualify to become a professional employee

376 as defined in paragraph (a).

377 (16)~~(3)~~ "Public employee" means any person employed by a
378 public employer except:

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

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

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

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

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

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

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

395 1. Federal license requirement.

396 2. Federal autonomy regarding investigation and
397 disciplining of appointees.

398 3. Frequent transfers due to harvesting conditions.

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

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

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

426 established pursuant to s. 944.801.

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

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

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

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

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

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

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

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

475 447.205 Public Employees Relations Commission.—

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

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

483 447.207 Commission; powers and duties.—

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

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

501 ~~such service and setting forth the manner of such service is~~
502 ~~proof of service, and a returned post office receipt, when~~
503 ~~certified mail is used, is proof of service. All process of any~~
504 ~~court to which application may be made under the provisions of~~
505 ~~this part shall be served in the county wherein the persons~~
506 ~~required to be served reside or may be found.~~

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

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

526 a case ~~pursuant to s. 447.307 or s. 447.503~~ shall not constitute
527 a rule within the meaning of s. 120.52.

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

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

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

546 ~~(c) The revocation of certification provided in s.~~
547 ~~447.305(6) and (7).~~

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

550 447.301 Public employees' rights; organization and

551 representation.—

552 (1)

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

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

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

571
572 As a public employee in the State of Florida, ~~is a right-to-work~~
573 ~~state.~~ membership or nonmembership non-membership in a labor
574 union is not required as a condition of employment. ~~and~~ Union
575 membership and payment of membership union dues and assessments

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

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

596 5. An employee organization must retain for inspection by
597 the commission such membership authorization forms and any
598 revocations. A membership authorization form is valid if it
599 meets the requirements in law at the time it was signed by the
600 employee and if the employee's membership has not been

601 subsequently revoked.

602 6. This paragraph does not apply to public employees in
603 public safety units ~~members of a bargaining unit the majority of~~
604 ~~whose employees eligible for representation are employed as law~~
605 ~~enforcement officers, correctional officers, or correctional~~
606 ~~probation officers as those terms are defined in s. 943.10(1),~~
607 ~~(2), or (3), respectively; firefighters as defined in s.~~
608 ~~633.102; 911 public safety telecommunicators as defined in s.~~
609 ~~401.465(1)(a); or emergency medical technicians or paramedics as~~
610 ~~defined in s. 401.23.~~

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

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

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

624 447.303 Membership dues; deduction and collection.—

625 (1) Except as authorized in subsection (2) or subject to a

626 waiver of the prohibition on membership dues deduction granted
627 pursuant to s. 447.207(12), a public employer may not engage in
628 membership dues deduction on behalf of s. 447.207(12)(a), an
629 employee organization ~~that has been certified as a bargaining~~
630 ~~agent may not have its dues and uniform assessments deducted and~~
631 ~~collected by the employer from the salaries of those employees~~
632 ~~in the unit.~~ A public employee may pay membership dues and
633 ~~uniform assessments~~ directly to the employee organization, any
634 parent organization of the employee organization, and any
635 affiliate of either the employee organization or the parent
636 organization that has been certified as the bargaining agent.

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

651 ~~uniform assessments for that bargaining unit deducted and~~
652 ~~collected by the employer from the salaries of those employees~~
653 ~~who authorize the deduction and collection of said dues and~~
654 ~~uniform assessments. However, such authorization is revocable at~~
655 ~~the employee's request upon 30 days' written notice to the~~
656 ~~employer and employee organization. Said deductions shall~~
657 ~~commence upon the bargaining agent's written request to the~~
658 ~~employer.~~

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

662 (c) The requirement to engage in membership dues
663 deductions ~~Such right to deduction,~~ unless revoked under s.
664 447.507, is in force as for so long as the ~~employee organization~~
665 ~~remains the certified bargaining agent~~ remains certified to
666 represent for the public employees in the bargaining unit.

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

669 447.305 Registration of employee organizations
670 organization.—

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

676 submitting a certification, recertification, or unit
677 clarification petition ~~to the commission requesting~~
678 ~~certification as an exclusive bargaining agent. Further,~~ If an
679 ~~such~~ employee organization is not registered, it may not do any
680 of the following: participate in a certification,
681 recertification, or unit clarification ~~representation~~ hearing;~~;~~
682 participate in a certification or recertification ~~representation~~
683 ~~election;~~ or be certified as a ~~an exclusive~~ bargaining agent.
684 The application for registration required by this section must
685 ~~shall~~ be under oath, ~~and~~ in such form as the commission may
686 prescribe, ~~and shall~~ include all of the following:

687 (a) The name and address of the organization and ~~of~~ any
688 parent organization or affiliate of the employee organization
689 ~~with which it is affiliated.~~

690 (b) The names and addresses of the principal officers and
691 all representatives of the organization.

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

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

698 (e) The name of its business agent, if any; if different
699 from the business agent, the name of its local agent for service
700 of process; and the addresses where such person or persons can

701 be reached.

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

706 (g) A copy of the current constitution and bylaws of the
707 employee organization.

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

715 (2) A registration granted to an employee organization
716 pursuant to this section runs for 1 year after ~~from~~ the date of
717 issuance. A registration must be renewed annually by filing an
718 application for renewal under oath with the commission, which
719 application must reflect any changes in the information provided
720 to the commission in conjunction with the employee
721 organization's preceding application for registration or
722 previous renewal, whichever is applicable. Each application for
723 renewal of registration must include a current annual financial
724 statement, prepared by an independent certified public
725 accountant licensed under chapter 473 and signed by the employee

726 organization's president and treasurer or corresponding
727 principal officers, containing the following information in such
728 detail as may be necessary to accurately ~~to~~ disclose its
729 financial condition and operations for its preceding fiscal year
730 and in all of the following ~~such~~ categories as prescribed by the
731 commission ~~may prescribe~~:

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

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

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

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

750 (e) Direct and indirect loans made to any of its officers

751 ~~officer, employees employee, or members member~~ which aggregated
752 more than \$250 during the fiscal year, together with a statement
753 of the purpose, security, if any, and arrangements for
754 repayment. ~~;~~ ~~and~~

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

758 (g) The amount of membership dues retained by or
759 distributed to each of the following: the employee organization,
760 any parent organization of the employee organization, and any
761 affiliate of either the employee organization or the parent
762 organization.

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

771 (a) For each bargaining unit for which the bargaining
772 agent is certified, the certification number assigned to the
773 bargaining unit by the commission.

774 (b) ~~(a)~~ For each certification, the number of public
775 employees in the bargaining unit ~~who are eligible for~~

776 ~~representation by the employee organization.~~

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

780 ~~(d)-(b)~~ For each certification, the number of public
781 employees in the bargaining unit who have submitted signed
782 membership authorization forms without a subsequent revocation
783 of such membership.

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

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

788 (e) An agreed-upon procedures report performed
789 Documentation provided by an independent certified public
790 accountant retained by the employee organization to assist in
791 determining the accuracy of which verifies the information
792 provided in paragraphs (b), (c), and (d). The agreed-upon
793 procedures must be conducted in accordance with attestation
794 standards established by the American Institute of Certified
795 Public Accountants (a)-(d).

796 (4) Within 30 days after filing an application for renewal
797 of registration with the commission, the employee organization
798 must provide a copy of its application for renewal of
799 registration relating to a public employer's employees to the
800 public employer and public employees of each bargaining unit for

801 which the employee organization is the bargaining agent ~~on the~~
802 ~~same day the application is submitted to the commission.~~

803 (5) ~~An application for renewal of registration is~~
804 ~~incomplete and is not eligible for consideration by The~~
805 ~~commission~~ must notify the bargaining agent ~~if it does not~~
806 ~~include all of the information and documentation~~ required in
807 subsection (3) is incomplete. The bargaining agent must provide
808 the missing information to the commission within 30 days after
809 such notification. If the bargaining agent fails to provide the
810 missing information within 30 days after notification, the
811 commission must dismiss the application ~~The commission shall~~
812 ~~notify the employee organization if the application is~~
813 ~~incomplete. An incomplete application must be dismissed if the~~
814 ~~required information and documentation are not provided within~~
815 ~~10 days after the employee organization receives such notice.~~

816 (6) The commission must notify the bargaining agent when
817 the information required in subsection (3) is complete. Within
818 30 days after such notification, the bargaining agent must
819 petition for recertification pursuant to s. 447.307 for each of
820 its bargaining units ~~Notwithstanding the provisions of this~~
821 ~~chapter relating to collective bargaining, an employee~~
822 ~~organization certified as a bargaining agent to represent a~~
823 ~~bargaining unit~~ for which less than 60 percent of the public
824 unit employees in the bargaining unit have submitted membership
825 authorization forms without subsequent revocation and paid

826 membership dues to the organization, as reported under
827 subsection (3) during its last registration period must petition
828 ~~the commission pursuant to s. 447.307(2) and (3) for~~
829 ~~recertification as the exclusive representative of all employees~~
830 ~~in the bargaining unit within 30 days after the date on which~~
831 ~~the employee organization applies for renewal of registration~~
832 ~~pursuant to subsection (2). The certification of an employee~~
833 ~~organization that does not comply with this section is revoked.~~

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

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

856 (a) Failed to cooperate with the investigation conducted
857 pursuant to this subsection, including refusal to permit the
858 commission or one of its designated agents to inspect membership
859 authorization forms or revocations pursuant to s.

860 447.301(1)(b)5.; or

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

863
864 ~~A decision issued by the commission pursuant to this subsection~~
865 ~~is a final agency action that is reviewable pursuant to s.~~
866 ~~447.504.~~

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

876 ~~emergency medical technicians or paramedics as defined in s.~~
877 ~~401.23.~~

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

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

896 (12) The certification of an employee organization that
897 does not comply with this section is revoked. An employee
898 organization that has its certification revoked under this
899 subsection may not file a petition for certification under s.
900 447.307 which covers any of the public employees in the

901 bargaining unit described in the revoked certification for at
902 least 12 months after the date the certification was revoked.

903 (13) A decision issued by the commission under this
904 section which revokes a certification, revokes a registration,
905 or grants, denies, or dismisses an application for registration
906 or renewal of registration is a final agency action that is
907 reviewable pursuant to s. 447.504.

908 **Section 11. Section 447.307, Florida Statutes, is amended**
909 **to read:**

910 447.307 Certification and recertification of employee
911 organizations ~~organization.~~

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

926 ~~designated unit. Upon recognition by a public employer, the~~
927 ~~employee organization shall immediately petition the commission~~
928 ~~for certification. The commission shall review only the~~
929 ~~appropriateness of the unit proposed by the employee~~
930 ~~organization. If the unit is appropriate according to the~~
931 ~~criteria used in this part, the commission shall immediately~~
932 ~~certify the employee organization as the exclusive~~
933 ~~representative of all employees in the unit. If the unit is~~
934 ~~inappropriate according to the criteria used in this part, the~~
935 ~~commission may dismiss the petition.~~

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

942 ~~(b)(2) A~~ A ~~If the public employer refuses to recognize the~~
943 ~~employee organization, the employee organization may file a~~
944 ~~petition with the commission for certification as the bargaining~~
945 ~~agent for a proposed bargaining unit. The petition shall be~~
946 ~~accompanied by dated statements signed by at least 30 percent of~~
947 ~~the employees in the proposed unit, indicating that such~~
948 ~~employees desire to be represented for purposes of collective~~
949 ~~bargaining by the petitioning employee organization. Once a~~
950 ~~petition for certification has been filed by an employee~~

951 ~~organization, any~~ registered employee organization desiring
952 placement on the ballot in any certification or recertification
953 election to be conducted pursuant to this section may be
954 permitted by the commission to intervene in the proceeding upon
955 a motion accompanied by a showing of interest from dated
956 ~~statements signed by~~ at least 10 percent of the public employees
957 in the proposed or existing bargaining unit, ~~indicating that~~
958 ~~such employees desire to be represented for the purposes of~~
959 ~~collective bargaining by the moving employee organization.~~ The
960 showing of interest petitions and dated statements must be
961 signed and dated by the public employees not more than 12 months
962 before the filing of the petition.

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

972 (d) Notwithstanding paragraph (b), if any employees in the
973 proposed unit are included in a bargaining unit for which there
974 is a bargaining agent currently certified by the commission,
975 such bargaining agent will be automatically added as a party to

976 the case and may appear on the ballot without being required to
977 file a motion to intervene or a showing of interest.

978 (2) (a) A certification petition may not be filed regarding
979 any proposed or existing bargaining unit within 12 months after
980 the date the commission issues an order that verifies the
981 results of a certification, recertification, or decertification
982 election covering any of the public employees in the proposed or
983 existing bargaining unit.

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

997 (3) ~~(a)~~ The commission or one of its designated agents
998 shall investigate a certification or recertification ~~the~~
999 petition to determine its sufficiency; ~~if it has reasonable~~
1000 cause to believe that the petition is sufficient, ~~the commission~~

1001 ~~shall provide for an appropriate hearing upon due notice. Such a~~
 1002 ~~hearing may be conducted by an agent of the commission. If the~~
 1003 ~~commission finds that the petition is to be insufficient, the~~
 1004 ~~commission must ~~it may~~ dismiss the petition. If the commission~~
 1005 ~~finds ~~upon the record of the hearing~~ that the petition is~~
 1006 ~~sufficient, the commission must ~~it shall immediately~~:~~

1007 (a)1. Define the proposed or existing bargaining unit and
 1008 determine which public employees are ~~shall be~~ qualified and
 1009 entitled to vote at any election held by the commission. Upon
 1010 providing due notice, the commission may provide for a hearing.

1011 (b)2. Identify the public employer or employers for
 1012 purposes of collective bargaining ~~with the bargaining agent.~~

1013 (c)3. Order an election by secret ballot, the cost of said
 1014 election and any required runoff election to be borne equally by
 1015 the parties, except as the commission may provide by rule. The
 1016 commission's order assessing costs of an election may be
 1017 enforced pursuant to ~~the provisions of~~ this part.

1018 (4) (a) Except as provided in paragraph (b), elections are
 1019 determined as follows for all certification or recertification
 1020 petitions filed on or after July 1, 2026:

1021 1.(b) ~~If~~ When an employee organization is selected by a
 1022 majority vote of the public employees who are in the bargaining
 1023 unit as of the date set by the commission ~~voting in an election,~~
 1024 the commission shall certify or recertify the employee
 1025 organization as the ~~exclusive~~ collective bargaining agent for

1026 the public ~~representative of all~~ employees in the unit.

1027 2. A runoff election shall be held according to rules
1028 adopted by the commission if, in the election conducted under
1029 subparagraph 1., there was more than one employee organization
1030 on the ballot, a majority of the public employees who are in the
1031 bargaining unit as of the date set by the commission voted in
1032 the election, and none of the choices on the ballot received a
1033 majority vote of the public employees who are in the bargaining
1034 unit as of the date set by the commission.

1035 (b) Certification elections involving public safety units
1036 are determined as follows:

1037 1. If an employee organization is selected by a majority
1038 vote of the public employees voting in the election, the
1039 commission shall certify the employee organization as the
1040 bargaining agent for the public employees in the bargaining
1041 unit.

1042 2. A runoff election shall be held according to rules
1043 adopted by the commission if, in the election conducted under
1044 subparagraph 1., there was more than one employee organization
1045 on the ballot and none of the choices on the ballot received a
1046 majority vote of the public employees voting in the election.

1047 (c) Certification, recertification, or revocation under
1048 this section is effective upon the issuance of a ~~the~~ final order
1049 by the commission or, if the final order is appealed, at the
1050 time the appeal is exhausted or any stay is vacated by the

1051 commission or a ~~the~~ court.

1052 ~~(c) In any election in which none of the choices on the~~
1053 ~~ballot receives the vote of a majority of the employees voting,~~
1054 ~~a runoff election shall be held according to rules promulgated~~
1055 ~~by the commission.~~

1056 ~~(d) No petition may be filed seeking an election in any~~
1057 ~~proposed or existing appropriate bargaining unit to determine~~
1058 ~~the exclusive bargaining agent within 12 months after the date~~
1059 ~~of a commission order verifying a representation election or, if~~
1060 ~~an employee organization prevails, within 12 months after the~~
1061 ~~date of an effective certification covering any of the employees~~
1062 ~~in the proposed or existing bargaining unit. Furthermore, if a~~
1063 ~~valid collective bargaining agreement covering any of the~~
1064 ~~employees in a proposed unit is in effect, a petition for~~
1065 ~~certification may be filed with the commission only during the~~
1066 ~~period extending from 150 days to 90 days immediately preceding~~
1067 ~~the expiration date of that agreement, or at any time subsequent~~
1068 ~~to its expiration date but prior to the effective date of any~~
1069 ~~new agreement. The effective date of a collective bargaining~~
1070 ~~agreement means the date of ratification by both parties, if the~~
1071 ~~agreement becomes effective immediately or retroactively; or its~~
1072 ~~actual effective date, if the agreement becomes effective after~~
1073 ~~its ratification date.~~

1074 (5)~~(4)~~ In defining a proposed bargaining unit, the
1075 commission shall take into consideration:

- 1076 (a) The principles of efficient administration of
 1077 government.
- 1078 (b) The number of employee organizations with which the
 1079 employer might have to negotiate.
- 1080 (c) The compatibility of the unit with the joint
 1081 responsibilities of the public employer and public employees to
 1082 represent the public.
- 1083 (d) The power of the officials of government at the level
 1084 of the unit to agree, or make effective recommendations to
 1085 another administrative authority or to a legislative body, with
 1086 respect to matters of employment upon which the employee desires
 1087 to negotiate.
- 1088 (e) The organizational structure of the public employer.
- 1089 (f) Community of interest among the employees to be
 1090 included in the unit, considering:
- 1091 1. The manner in which wages and other terms of employment
 1092 are determined.
- 1093 2. The method by which jobs and salary classifications are
 1094 determined.
- 1095 3. The interdependence of jobs and interchange of
 1096 employees.
- 1097 4. The desires of the employees.
- 1098 5. The history of employee relations within the
 1099 organization of the public employer concerning organization and
 1100 negotiation and the interest of the employees and the employer

1101 in the continuation of a traditional, workable, and accepted
 1102 negotiation relationship.

1103 (g) The statutory authority of the public employer to
 1104 administer a classification and pay plan.

1105 (h) Such other factors and policies as the commission may
 1106 deem appropriate.

1107
 1108 However, a bargaining ~~ne~~ unit may not shall be established or
 1109 approved for purposes of collective bargaining which includes
 1110 both professional and nonprofessional employees unless a
 1111 majority of each group votes for inclusion in such bargaining
 1112 unit.

1113 **Section 12. Section 447.3076, Florida Statutes, is created**
 1114 **to read:**

1115 447.3076 Clarification of bargaining units.—

1116 (1) A petition to clarify the composition of a bargaining
 1117 unit may be filed with the commission when significant changes
 1118 in statutory law or case law require clarification of the
 1119 bargaining unit or when a classification was:

1120 (a) Created or substantially changed after the unit was
 1121 initially defined by the commission;

1122 (b) Retitled with no substantial change in job duties; or

1123 (c) Included or excluded through inadvertence or
 1124 misunderstanding by the commission.

1125 (2) A bargaining unit clarification petition may be filed

1126 by the bargaining agent for the bargaining unit or by the public
 1127 employer of the public employees in the unit.

1128 (3) A copy of the petition must be served on the public
 1129 employer and any bargaining agent that is certified to represent
 1130 any employee or classification which may be substantially
 1131 affected by the proposed bargaining unit clarification.

1132 (4) If any substantially affected employees are not
 1133 represented by a bargaining agent, the public employer must
 1134 provide a copy of the petition to those employees within 10 days
 1135 after the filing of the petition.

1136 (5) When the clarification of a bargaining unit would
 1137 result in an increase in the size of the bargaining unit by more
 1138 than 25 percent, the unit clarification petition raises a
 1139 question concerning representation and must be dismissed.

1140 **Section 13. Section 447.308, Florida Statutes, is amended**
 1141 **to read:**

1142 447.308 Decertification ~~Revocation of certification of~~
 1143 ~~employee organizations organization.-~~

1144 (1) A public ~~Any~~ employee or group of public employees
 1145 that ~~which~~ no longer desires to be represented by a ~~the~~
 1146 ~~certified~~ bargaining agent may file with the commission a
 1147 petition to decertify the bargaining agent ~~revoke certification~~.
 1148 The petition must ~~shall~~ be accompanied by a showing of interest
 1149 from ~~dated statements signed by~~ at least 30 percent of the
 1150 public employees in the bargaining unit, ~~indicating that such~~

1151 ~~employees no longer desire to be represented for purposes of~~
1152 ~~collective bargaining by the certified bargaining agent. The~~
1153 ~~time of filing said petition shall be governed by the provisions~~
1154 ~~of s. 447.307(3)(d) relating to petitions for certification. The~~
1155 ~~showing of interest statements must be signed and dated by the~~
1156 ~~public employees not more than 12 months before the filing of~~
1157 ~~the petition. Any employee, employer, or employee organization~~
1158 ~~having sufficient reason to believe that the showing of interest~~
1159 ~~was any of the employee signatures were obtained by collusion,~~
1160 ~~coercion, intimidation, or misrepresentation or is are otherwise~~
1161 ~~invalid shall be given a reasonable opportunity to verify and~~
1162 ~~challenge the showing of interest signatures appearing on the~~
1163 ~~petition.~~

1164 (2) (a) A decertification petition may not be filed
1165 regarding the bargaining unit within 12 months after the date
1166 the commission issues an order that verifies the results of a
1167 certification, recertification, or decertification election
1168 covering any of the public employees in the unit.

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

1176 effective date of a collective bargaining agreement is the date
1177 of ratification of such agreement by both parties if such
1178 agreement becomes effective immediately or retroactively, or the
1179 collective bargaining agreement's actual effective date if such
1180 agreement becomes effective after its ratification date.

1181 (3) The commission or one of its designated agents shall
1182 investigate the decertification petition to determine its
1183 sufficiency. If the commission finds that the petition is ~~to be~~
1184 insufficient, the commission must ~~it may~~ dismiss the petition.
1185 If the commission finds that the petition is sufficient, the
1186 commission must ~~it shall immediately~~:

1187 (a) Identify the bargaining unit and determine which
1188 public employees shall be qualified and entitled to vote in the
1189 election held by the commission.

1190 (b) Identify the public employer or employers of the
1191 bargaining unit.

1192 (c) Order an election by secret ballot, the cost of said
1193 election to be borne equally by the parties, except as the
1194 commission may provide by rule. The commission's order assessing
1195 costs of an election may be enforced pursuant to ~~the provisions~~
1196 ~~of~~ this part.

1197 (4) (a) Except as provided in paragraph (b), elections are
1198 determined as follows for all decertification petitions filed on
1199 or after July 1, 2026:

1200 1. If decertification of the bargaining agent is selected

1201 by a majority vote of the public employees who are in the
1202 bargaining unit as of the date set by the commission, the
1203 commission shall revoke the bargaining agent's certification for
1204 that bargaining unit.

1205 2. If decertification is not selected by a majority vote
1206 of the public employees who are in the bargaining unit as of the
1207 date set by the commission, the bargaining agent shall retain
1208 its certification for that bargaining unit.

1209 (b) Decertification elections involving public safety
1210 units are determined as follows:

1211 1.(2) If decertification is selected by a majority vote of
1212 the public employees voting in the such election ~~vote against~~
1213 ~~the continuation of representation by the certified bargaining~~
1214 ~~agent, the commission shall revoke the certification of the~~
1215 ~~employee organization as the exclusive bargaining agent's~~
1216 ~~certification for that agent for the employees in the bargaining~~
1217 ~~unit shall be revoked.~~

1218 2.(3) If decertification is not selected by a majority
1219 vote of the public employees voting in the such election ~~do not~~
1220 ~~vote against the continuation of representation by the certified~~
1221 ~~bargaining agent, the bargaining agent shall retain its~~
1222 ~~certification for that bargaining of the employee organization~~
1223 ~~as the exclusive bargaining agent for the employees in the unit~~
1224 ~~shall be retained by the organization.~~

1225 (c) Revocation under this section is effective upon the

1226 issuance of a final order by the commission or, if the final
 1227 order is appealed, at the time the appeal is exhausted or any
 1228 stay is vacated by the commission or a court.

1229 **Section 14. Section 447.309, Florida Statutes, is amended**
 1230 **to read:**

1231 447.309 Collective bargaining; approval or rejection.—
 1232 (1) After an employee organization has been certified as
 1233 the bargaining agent of a bargaining unit pursuant to the
 1234 ~~provisions of this part, the bargaining agent for the~~
 1235 ~~organization~~ and the chief executive officer of the appropriate
 1236 public employer or employers, jointly, shall bargain
 1237 collectively in the determination of the wages, hours, and terms
 1238 and conditions of employment of the public employees within the
 1239 bargaining unit. The chief executive officer or his or her
 1240 representative and the bargaining agent or its representative
 1241 shall meet at reasonable times and bargain in good faith. In
 1242 conducting negotiations with the bargaining agent, the chief
 1243 executive officer or his or her representative shall consult
 1244 with, and attempt to represent the views of, the legislative
 1245 body of the public employer. Any collective bargaining agreement
 1246 reached by the negotiators shall be reduced to writing, and such
 1247 agreement shall be signed by the chief executive officer and the
 1248 bargaining agent. Any agreement signed by the chief executive
 1249 officer and the bargaining agent is ~~shall~~ not be binding on the
 1250 public employer until such agreement has been ratified by the

1251 public employer and the ~~by~~ public employees in ~~who are members~~
1252 ~~of~~ the bargaining unit, subject to subsection ~~the provisions of~~
1253 ~~subsections~~ (2) and ~~(3)~~. However, with respect to statewide
1254 bargaining units, any agreement signed by the Governor and the
1255 bargaining agent for such a bargaining unit is ~~shall~~ not be
1256 binding until approved by the public employees in ~~who are~~
1257 ~~members of~~ the bargaining unit, subject to subsection ~~the~~
1258 ~~provisions of subsections~~ (2) and ~~(3)~~.

1259 (2) (a) Upon execution of the collective bargaining
1260 agreement, the chief executive shall, in his or her annual
1261 budget request or by other appropriate means, request the
1262 legislative body to appropriate such amounts as shall be
1263 sufficient to fund the provisions of the collective bargaining
1264 agreement.

1265 (b) If the state is a party to a collective bargaining
1266 agreement in which less than the requested amount is
1267 appropriated by the Legislature, the collective bargaining
1268 agreement shall be administered on the basis of the amounts
1269 appropriated by the Legislature. The failure of the Legislature
1270 to appropriate funds sufficient to fund the collective
1271 bargaining agreement shall not constitute, or be evidence of,
1272 any unfair labor practice. All collective bargaining agreements
1273 entered into by the state are subject to the appropriations
1274 powers of the Legislature, and the provisions of this section
1275 shall not conflict with the exclusive authority of the

1276 Legislature to appropriate funds.

1277 ~~(3) If any provision of a collective bargaining agreement~~
 1278 ~~is in conflict with any law, ordinance, rule, or regulation over~~
 1279 ~~which the chief executive officer has no amendatory power, the~~
 1280 ~~chief executive officer shall submit to the appropriate~~
 1281 ~~governmental body having amendatory power a proposed amendment~~
 1282 ~~to such law, ordinance, rule, or regulation. Unless and until~~
 1283 ~~such amendment is enacted or adopted and becomes effective, the~~
 1284 ~~conflicting provision of the collective bargaining agreement~~
 1285 ~~shall not become effective.~~

1286 (3)~~(4)~~ If the agreement is not ratified by the public
 1287 employer or is not approved by a majority ~~vote~~ of the public
 1288 employees voting ~~in the unit~~, in accordance with procedures
 1289 adopted by the commission, the agreement shall be returned to
 1290 the chief executive officer and the bargaining agent ~~employee~~
 1291 ~~organization~~ for further negotiations.

1292 (4)~~(5)~~ A Any collective bargaining agreement may ~~shall~~ not
 1293 provide for a term of existence of more than 3 years and must
 1294 ~~shall~~ contain all of the terms and conditions of employment
 1295 negotiated by the bargaining agent and the public employer and
 1296 all of the disputed impasse issues resolved by the legislative
 1297 body's action taken pursuant to s. 447.403 of the employees in
 1298 ~~the bargaining unit during such term except those terms and~~
 1299 ~~conditions provided for in applicable merit and civil service~~
 1300 ~~rules and regulations.~~

1301 **Section 15. Section 447.401, Florida Statutes, is amended**
 1302 **to read:**

1303 447.401 Grievance procedures.—Each public employer and
 1304 bargaining agent shall negotiate a grievance procedure to be
 1305 used for the settlement of disputes between a public employer
 1306 and a public employee, or a group of public employees, involving
 1307 the interpretation or application of a collective bargaining
 1308 agreement. ~~The~~ Such grievance procedure must ~~shall~~ have as its
 1309 terminal step a final and binding disposition by an impartial
 1310 neutral, mutually selected by the parties; however, when the
 1311 issue under appeal is an allegation of abuse, abandonment, or
 1312 neglect of a child by a public ~~an~~ employee under s. 39.201 or an
 1313 allegation of abuse, neglect, or exploitation of a vulnerable
 1314 adult by a public employee under s. 415.1034, the grievance may
 1315 not be decided until such allegation ~~the abuse, abandonment, or~~
 1316 ~~neglect of a child~~ has been judicially determined. However, an
 1317 arbitrator ~~arbiter~~ or other neutral may ~~shall~~ not have the power
 1318 ~~to~~ add to, subtract from, modify, or alter the terms of a
 1319 collective bargaining agreement. If an employee organization is
 1320 certified as the bargaining agent of a bargaining unit, the
 1321 grievance procedure then in existence may be the subject of
 1322 collective bargaining, and any agreement that ~~which~~ is reached
 1323 shall supersede the previously existing procedure. All public
 1324 employees ~~shall~~ have the right to a fair and equitable grievance
 1325 procedure administered without regard to membership or

1326 nonmembership in any employee organization, except that
 1327 bargaining agents may ~~certified employee organizations shall not~~
 1328 be required to process grievances for public employees who are
 1329 not members of the employee organization. A public career
 1330 service employee may use ~~shall have the option of utilizing~~ the
 1331 civil service appeal procedure, an unfair labor practice
 1332 procedure, or a grievance procedure established under this
 1333 section, but may not avail ~~such employee is precluded from~~
 1334 availing himself or herself of ~~to~~ more than one of these
 1335 procedures.

1336 **Section 16. Subsections (1) through (4) of section**
 1337 **447.403, Florida Statutes, are amended to read:**

1338 447.403 Resolution of impasses.—

1339 (1) If, after a reasonable period of negotiation
 1340 concerning the terms and conditions of employment to be
 1341 incorporated in a collective bargaining agreement, a dispute
 1342 exists between a public employer and a bargaining agent, either
 1343 party may declare an impasse by providing written notification
 1344 ~~shall be deemed to have occurred when one of the parties so~~
 1345 ~~declares in writing~~ to the other party and to the commission.
 1346 When an impasse occurs, the public employer or the bargaining
 1347 agent, or both parties acting jointly, may use ~~appoint~~, or
 1348 secure the services ~~appointment~~ of, a mediator to assist in the
 1349 resolution of the impasse. If the Governor is the public
 1350 employer or for an impasse declared pursuant to s. 447.4095, a

1351 ~~no~~ mediator may not ~~shall~~ be appointed.

1352 (2) (a) If a ~~no~~ mediator is not used under subsection (1)
1353 ~~appointed~~, or upon the request of either party, the commission
1354 must ~~shall~~ appoint, and submit all unresolved issues to, a
1355 special magistrate acceptable to both parties. If the parties
1356 are unable to agree on the appointment of a special magistrate,
1357 the commission must ~~shall~~ appoint, in its discretion, a
1358 qualified special magistrate. However, if the parties agree in
1359 writing to waive the appointment of a special magistrate, the
1360 parties may proceed directly to resolution of the impasse by the
1361 legislative body pursuant to paragraph (4) (d). Nothing in this
1362 section precludes the parties from using the services of a
1363 mediator at any time during the conduct of collective
1364 bargaining.

1365 (b) If the Governor is the public employer, a ~~no~~ special
1366 magistrate may not ~~shall~~ be appointed. The parties must ~~may~~
1367 proceed directly to the Legislature for resolution of the
1368 impasse pursuant to paragraph (4) (d).

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

1376 commission within 5 calendar days after the declaration of
1377 impasse, the commission must appoint a special magistrate of its
1378 choosing within 5 calendar days after the parties' deadline to
1379 submit the name of the agreed-upon special magistrate. Within 5
1380 calendar days after the special magistrate is appointed, each
1381 party must submit a list of issues at impasse to the special
1382 magistrate and serve a copy of the list on the other party at
1383 the same time.

1384 (3) The special magistrate must ~~shall~~ hold a hearing
1385 ~~hearings~~ in order to define the area or areas of dispute, to
1386 determine facts relating to the dispute, and to render a
1387 decision on any and all unresolved contract issues. The hearing
1388 must ~~hearings shall~~ be held at a time, date, and place ~~times,~~
1389 ~~dates, and places~~ to be established by the special magistrate in
1390 accordance with rules adopted ~~promulgated~~ by the commission. For
1391 an impasse declared pursuant to s. 447.4095(2), a hearing must
1392 be held within 20 calendar days after the parties submit the
1393 list of issues at impasse to the special magistrate. The special
1394 magistrate may ~~shall be empowered to~~ administer oaths and issue
1395 subpoenas on behalf of the parties to the dispute or on his or
1396 her own behalf. Within 15 calendar days after the close of the
1397 final hearing, or 7 calendar days after the close of the hearing
1398 for an impasse declared pursuant to s. 447.4095(2), the special
1399 magistrate must submit ~~shall transmit~~ his or her recommended
1400 decision to the commission and to the representatives of both

1401 parties by any method of service that establishes proof of
1402 delivery registered mail, return receipt requested. Such
1403 recommended decision must ~~shall~~ be discussed by the parties, and
1404 each recommendation of the special magistrate is ~~shall be~~ deemed
1405 approved by both parties unless specifically rejected by either
1406 party by written notice filed with the commission within 20
1407 calendar days, or 10 calendar days for an impasse declared
1408 pursuant to s. 447.4095(2), after the date the party received
1409 the special magistrate's recommended decision. The written
1410 notice must ~~shall~~ include a statement of the cause for each
1411 rejection and ~~shall~~ be served upon the other party at the same
1412 time as it is filed with the commission.

1413 (4) If either the public employer or the bargaining agent
1414 ~~employee organization~~ does not accept, in whole or in part, the
1415 recommended decision of the special magistrate, all of the
1416 following procedures apply:

1417 (a) The chief executive officer of the governmental entity
1418 involved shall, within 10 calendar days after rejection of a
1419 recommendation of the special magistrate, submit to the
1420 legislative body of the governmental entity involved a copy of
1421 the findings of fact and recommended decision of the special
1422 magistrate, together with the chief executive officer's
1423 recommendations for settling the disputed impasse issues. The
1424 chief executive officer shall also submit ~~transmit~~ his or her
1425 recommendations to the bargaining agent at the same time as the

1426 recommendations are submitted to the legislative body. ~~employee~~
 1427 ~~organization;~~

1428 (b) Within 10 calendar days after rejection of a
 1429 recommendation of the special magistrate, the bargaining agent
 1430 ~~employee organization~~ shall submit its recommendations for
 1431 settling the disputed impasse issues to such legislative body
 1432 and to the chief executive officer.†

1433 (c) The legislative body or its ~~a~~ duly authorized
 1434 committee ~~thereof~~ shall ~~forthwith~~ conduct a public hearing at
 1435 which the parties shall ~~be required to~~ explain their positions
 1436 with respect to the rejected recommendations of the special
 1437 magistrate. For an impasse declared pursuant to s. 447.4095(2),
 1438 the legislative body must conduct the public hearing within 20
 1439 calendar days after the parties submit their recommendations to
 1440 the legislative body.†

1441 (d) Thereafter, the legislative body shall take such
 1442 action as it deems to be in the public interest, including the
 1443 interest of the public employees involved, to resolve all
 1444 disputed impasse issues. For an impasse declared pursuant to s.
 1445 447.4095(2), the legislative body must take action within 10
 1446 calendar days after the close of the public hearing.~~† and~~

1447 (e)1. Following the resolution of the disputed impasse
 1448 issues by the legislative body, the parties shall reduce to
 1449 writing an agreement which includes those issues agreed to by
 1450 the parties and those disputed impasse issues resolved by the

1451 legislative body's action taken pursuant to paragraph (d). For
1452 an impasse declared pursuant to s. 447.4095(2), the parties must
1453 reduce the agreement to writing within 10 calendar days after
1454 the resolution of the disputed impasse issues by the legislative
1455 body.

1456 2. The agreement must ~~shall~~ be signed by the chief
1457 executive officer and the bargaining agent and ~~shall~~ be
1458 submitted to the public employer and ~~to~~ the public employees in
1459 who are members of the bargaining unit for ratification. For an
1460 impasse declared pursuant to s. 447.4095(2), the chief executive
1461 officer and the bargaining agent must sign the agreement within
1462 7 calendar days after the agreement is reduced to writing and
1463 must submit the agreement to the public employer and the
1464 bargaining unit for ratification within 10 calendar days after
1465 the agreement is signed. For an impasse declared pursuant to s.
1466 447.4095(2), the agreement must be signed, submitted, and
1467 ratified separately from other bargainable issues.

1468 3. If the ~~such~~ agreement is not ratified by all parties,
1469 pursuant to ~~the provisions of~~ s. 447.309, the legislative body's
1470 action taken pursuant to ~~the provisions of~~ paragraph (d) shall
1471 take effect as of the date of such legislative body's action for
1472 the remainder of the first fiscal year which was the subject of
1473 negotiations; however, the legislative body's action may ~~shall~~
1474 not take effect with respect to those disputed impasse issues
1475 that ~~which~~ establish the language of contractual provisions that

1476 ~~which~~ could have no effect in the absence of a ratified
 1477 agreement, including, but not limited to, preambles, recognition
 1478 clauses, and duration clauses.

1479 **Section 17. Section 447.405, Florida Statutes, is amended**
 1480 **to read:**

1481 447.405 Factors to be considered by the special
 1482 magistrate.—The special magistrate shall conduct the hearings
 1483 and render recommended decisions with the objective of achieving
 1484 a prompt, peaceful, and just settlement of disputes between the
 1485 bargaining agents ~~public employee organizations~~ and the public
 1486 employers. The factors, ~~among others,~~ to be given weight by the
 1487 special magistrate in arriving at a recommended decision must
 1488 ~~shall~~ include:

1489 (1) Comparison of the annual income of employment of the
 1490 public employees in question with the annual income of
 1491 employment maintained for the same or similar work of employees
 1492 exhibiting like or similar skills under the same or similar
 1493 working conditions in the local operating area involved.

1494 (2) Comparison of the annual income of employment of the
 1495 public employees in question with the annual income of
 1496 employment of public employees in similar public employee
 1497 governmental bodies of comparable size within this ~~the~~ state.

1498 (3) The interest and welfare of the public.

1499 (4) Comparison of peculiarities of employment in regard to
 1500 other trades or professions, specifically with respect to:

- 1501 (a) Hazards of employment.
- 1502 (b) Physical qualifications.
- 1503 (c) Educational qualifications.
- 1504 (d) Intellectual qualifications.
- 1505 (e) Job training and skills.
- 1506 (f) Retirement plans.
- 1507 (g) Sick leave.
- 1508 (h) Job security.
- 1509 (5) Availability of funds.

1510 **Section 18. Section 447.4095, Florida Statutes, is amended**
 1511 **to read:**

1512 447.4095 Financial urgency.—

1513 (1) In the event of a financial urgency requiring
 1514 modification of an agreement, the chief executive officer or his
 1515 or her representative and the bargaining agent or its
 1516 representative must ~~shall~~ meet as soon as possible to negotiate
 1517 the impact of the financial urgency. If after a reasonable
 1518 period of negotiation, which may ~~shall~~ not exceed 14 calendar
 1519 days, a dispute exists between the public employer and the
 1520 bargaining agent, an impasse is ~~shall be~~ deemed to have
 1521 occurred, and one of the parties must ~~shall~~ so declare in
 1522 writing to the other party and to the commission. The parties
 1523 must ~~shall~~ then proceed to follow the requirements under
 1524 ~~pursuant to the provisions of~~ s. 447.403. An unfair labor
 1525 practice charge may ~~shall~~ not be filed during the 14 calendar

1526 days during which negotiations are occurring under ~~pursuant to~~
1527 this section.

1528 (2) Salary increases appropriated by the Legislature are,
1529 for purposes of this section, considered a financial urgency. In
1530 the event of salary increases appropriated by the Legislature
1531 which require modification of an agreement, the chief executive
1532 officer or his or her representative and the bargaining agent or
1533 its representative must meet within 15 calendar days after the
1534 effective date of the appropriation to negotiate the impact of
1535 the financial urgency. If 30 calendar days after the effective
1536 date of the appropriation, a dispute exists between the public
1537 employer and the bargaining agent as to the impact of the
1538 financial urgency, one of the parties must, within 2 business
1539 days, declare an impasse in writing to the other party and to
1540 the commission. The parties must then proceed to follow the
1541 requirements under s. 447.403. An unfair labor practice charge
1542 may not be filed during the 30-day period of negotiations or
1543 while the parties are proceeding through the resulting impasse
1544 process. This subsection does not apply to public employees in
1545 public safety units, as defined in s. 447.203.

1546 **Section 19. Paragraphs (c) and (f) of subsection (1) and**
1547 **subsection (2) of section 447.501, Florida Statutes, are**
1548 **amended, and paragraph (g) is added to subsection (1) of that**
1549 **section, to read:**

1550 447.501 Unfair labor practices.—

1551 (1) Public employers or their agents or representatives
 1552 are prohibited from:

1553 (c) Refusing to bargain collectively, failing to bargain
 1554 collectively in good faith, or refusing to sign a final
 1555 agreement agreed upon with the ~~certified~~ bargaining agent for
 1556 the public employees in the bargaining unit.

1557 (f) Refusing to discuss grievances in good faith pursuant
 1558 to the terms of the collective bargaining agreement with either
 1559 the ~~certified~~ bargaining agent for the public employee or the
 1560 employee involved.

1561 (g) Failing to provide to any employee organization or any
 1562 petitioning public employee who is seeking to support, oppose,
 1563 or intervene in the certification, recertification, or
 1564 decertification of a bargaining agent equal access to the public
 1565 employer's facilities and its internal means of communication
 1566 for those purposes. The public employer must provide such equal
 1567 access from the date of the filing of a petition pursuant to s.
 1568 447.307 or s. 447.308 until the final resolution of the
 1569 petition.

1570 (2) An ~~A~~ public employee organization or anyone acting on
 1571 ~~in~~ its behalf or its officers, representatives, agents, or
 1572 members are prohibited from:

1573 (a) Interfering with, restraining, or coercing public
 1574 employees in the exercise of any rights guaranteed them under
 1575 this part or interfering with, restraining, or coercing

1576 managerial employees by reason of their performance of job
 1577 duties or other activities undertaken in the interests of the
 1578 public employer.

1579 (b) Causing or attempting to cause a public employer to
 1580 discriminate against a public ~~an~~ employee because of such ~~the~~
 1581 employee's membership or nonmembership in an employee
 1582 organization or attempting to cause the public employer to
 1583 violate ~~any of the provisions of~~ this part.

1584 (c) Refusing to bargain collectively or failing to bargain
 1585 collectively in good faith with a public employer.

1586 (d) Discriminating against a public ~~an~~ employee because he
 1587 or she has signed or filed an affidavit, a petition, or a
 1588 complaint or given any information or testimony in any
 1589 proceedings provided for in this part.

1590 (e) Participating in a strike against the public employer
 1591 by instigating or supporting, in any positive manner, a strike.
 1592 A person who violates ~~Any violation of this paragraph is shall~~
 1593 subject ~~the violator~~ to the penalties provided in this part.

1594 (f) Instigating or advocating support, in any positive
 1595 manner, for an employee organization's activities from high
 1596 school or grade school students or students in institutions of
 1597 higher learning.

1598 **Section 20. Subsection (1) of section 447.503, Florida**
 1599 **Statutes, is amended to read:**

1600 447.503 Charges of unfair labor practices.—It is the

1601 intent of the Legislature that the commission act as
1602 expeditiously as possible to settle disputes regarding alleged
1603 unfair labor practices. To this end, violations of the
1604 provisions of s. 447.501 shall be remedied by the commission in
1605 accordance with the following procedures and in accordance with
1606 chapter 120; however, to the extent that chapter 120 is
1607 inconsistent with the provisions of this section, the procedures
1608 contained in this section shall govern:

1609 (1) A proceeding to remedy a violation of ~~the provisions~~
1610 ~~of~~ s. 447.501 must ~~shall~~ be initiated by the filing of a charge
1611 with the commission by a public ~~an~~ employer, a public employee,
1612 or an employee organization, or any combination thereof, whose
1613 substantial interests will be affected as referenced in chapter
1614 120. Such a charge must ~~shall~~ contain a clear and concise
1615 statement of facts constituting the alleged unfair labor
1616 practice, including the names of all individuals involved in the
1617 alleged unfair labor practice, and include specific reference to
1618 the provisions of s. 447.501 alleged to have been violated, and
1619 such other relevant information as the commission may by rule
1620 require or allow. Service of the charge must ~~shall~~ be made upon
1621 each named respondent at the time of filing with the commission.
1622 The charge must be accompanied by sworn statements and
1623 documentary evidence sufficient to establish a prima facie
1624 violation of the applicable unfair labor practice provision.
1625 Such supporting evidence is not to be attached to the charge and

1626 is to be furnished only to the commission.

1627 **Section 21. Subsections (2) through (5) and paragraph (a)**
1628 **of subsection (6) of section 447.507, Florida Statutes, are**
1629 **amended to read:**

1630 447.507 Violation of strike prohibition; penalties.—

1631 (2) If a public employee, a group of public employees, an
1632 employee organization, or any officer, agent, or representative
1633 of any employee organization engages in a strike in violation of
1634 s. 447.505, either the commission or any public employer whose
1635 public employees are involved or whose public employees may be
1636 affected by the strike may file suit to enjoin the strike in the
1637 circuit court having proper jurisdiction and proper venue of
1638 such actions under the Florida Rules of Civil Procedure and
1639 Florida Statutes. The circuit court shall conduct a hearing,
1640 with notice to the commission and to all interested parties, at
1641 the earliest practicable time. If the plaintiff makes a prima
1642 facie showing that a violation of s. 447.505 is in progress or
1643 that there is a clear, real, and present danger that such a
1644 strike is about to commence, the circuit court must ~~shall~~ issue
1645 a temporary injunction enjoining the strike. Upon final hearing,
1646 the circuit court shall either make the injunction permanent or
1647 dissolve it.

1648 (3) If an injunction to enjoin a strike issued pursuant to
1649 this section is not promptly complied with, on the application
1650 of the plaintiff, the circuit court shall immediately initiate

1651 contempt proceedings against those who appear to be in
1652 violation. An employee organization found to be in contempt of
1653 court for violating an injunction against a strike shall be
1654 fined an amount deemed appropriate by the court. In determining
1655 the appropriate fine, the court shall objectively consider the
1656 extent of lost services and the particular nature and position
1657 of the public employee group in violation. ~~A In no event shall~~
1658 ~~the fine may not exceed \$30,000 \$5,000.~~ Each officer, agent, or
1659 representative of an employee organization found to be in
1660 contempt of court for violating an injunction against a strike
1661 shall be fined at least \$300, but not more than \$600, ~~not less~~
1662 ~~than \$50 nor more than \$100~~ for each calendar day that the
1663 violation is in progress.

1664 (4) An employee organization ~~is shall be~~ liable for any
1665 damages that ~~which~~ might be suffered by a public employer as a
1666 result of a violation of ~~the provisions of~~ s. 447.505 by the
1667 employee organization or its representatives, officers, or
1668 agents. The circuit court having jurisdiction over such actions
1669 ~~may is empowered to~~ enforce judgments against employee
1670 organizations in the amount deemed appropriate by the court in
1671 accordance with this section. An action may not, ~~as defined in~~
1672 ~~this part, by attachment or garnishment of union initiation fees~~
1673 ~~or dues which are to be deducted or checked off by public~~
1674 ~~employers. No action shall~~ be maintained pursuant to this
1675 subsection until all proceedings that ~~which~~ were pending before

1676 the commission at the time of the strike or that ~~which~~ were
1677 initiated within 30 days after ~~of~~ the strike have been finally
1678 adjudicated or otherwise disposed of. In determining the amount
1679 of damages, if any, to be awarded to the public employer, the
1680 trier of fact shall take into consideration any action or
1681 inaction by the public employer or its agents that provoked or
1682 tended to provoke the strike by the public employees. The trier
1683 of fact shall also take into consideration any damages that
1684 might have been recovered by the public employer under
1685 subparagraph (6) (a) 4.

1686 (5) If the commission, after a hearing on notice conducted
1687 according to rules adopted ~~promulgated~~ by the commission,
1688 determines that a public ~~an~~ employee has violated s. 447.505, it
1689 may order the termination of such employee's ~~his or her~~
1690 employment by the public employer. Notwithstanding any other
1691 provision of law, a person knowingly violating s. 447.505 ~~the~~
1692 ~~provision of said section~~ may, subsequent to such violation, be
1693 appointed, reappointed, employed, or reemployed as a public
1694 employee, but only upon the following conditions:

1695 (a) Such person shall be on probation for ~~a period of~~ 18
1696 months after ~~following~~ his or her appointment, reappointment,
1697 employment, or reemployment, during which period he or she shall
1698 serve without permanent status and at the pleasure of the agency
1699 head.

1700 (b) His or her compensation may not ~~in no event~~ exceed the

1701 compensation ~~that~~ received immediately before ~~prior to~~ the time
1702 of the violation.

1703 (c) The compensation of the person may not be increased
1704 until at least ~~after the expiration of~~ 1 year after ~~from~~ such
1705 appointment, reappointment, employment, or reemployment.

1706 (6) (a) If the commission determines that an employee
1707 organization has violated s. 447.505, it may:

1708 1. Issue cease and desist orders as necessary to ensure
1709 compliance with its order.

1710 2. Suspend or revoke the certification of the ~~employee~~
1711 ~~organization as the~~ bargaining agent of such bargaining ~~employee~~
1712 unit.

1713 3. Revoke any requirement of the public employer to engage
1714 in membership ~~the right of~~ dues deduction for the ~~and collection~~
1715 ~~previously granted to said~~ employee organization pursuant to s.
1716 447.303.

1717 4. Fine the organization up to \$120,000 ~~\$20,000~~ for each
1718 calendar day of such violation or determine the approximate cost
1719 to the public due to each calendar day of the strike and fine
1720 the organization an amount equal to such cost, regardless of
1721 whether the fine exceeds \$120,000 ~~notwithstanding the fact that~~
1722 ~~the fine may exceed \$20,000~~ for each such calendar day. The
1723 fines so collected ~~shall~~ immediately accrue to the public
1724 employer and must ~~shall~~ be used by the public employer ~~him or~~
1725 ~~her~~ to replace those services denied the public as a result of

1726 the strike. In determining the amount of damages, if any, to be
1727 awarded to the public employer, the commission must consider
1728 ~~shall take into consideration~~ any action or inaction by the
1729 public employer or its agents that provoked, or tended to
1730 provoke, the strike by the public employees.

1731 **Section 22. Subsection (3) of section 447.509, Florida**
1732 **Statutes, is renumbered as subsection (6), and new subsections**
1733 **(3), (4), and (5) are added to that section, to read:**

1734 447.509 Other unlawful acts; exceptions.—

1735 (3) Public employers, their agents or representatives, or
1736 any persons acting on their behalf may not provide any form of
1737 compensation or paid leave to a public employee, directly or
1738 indirectly, for the purpose of engaging in employee organization
1739 activities.

1740 (4) Notwithstanding subsection (3), a public employee may
1741 do any of the following:

1742 (a) Be granted time off without pay or benefits to engage
1743 in employee organization activities, provided that the public
1744 employer and the bargaining agent agree. An employee
1745 organization may compensate a public employee for engaging in
1746 employee organization activities.

1747 (b) Use compensated personal leave, whether the leave is
1748 the public employee's or is voluntarily donated by other public
1749 employees in the bargaining unit, to engage in employee
1750 organization activities if:

1751 1. The leave is accrued at the same rate by similarly
 1752 situated public employees in the bargaining unit without regard
 1753 to membership in or participation with an employee organization.

1754 2. The public employee may freely choose how to use the
 1755 leave.

1756 (c) Engage in representational employee organization
 1757 activities on behalf of the bargaining agent while in a duty
 1758 status without loss of pay or benefits, provided that the public
 1759 employer and the bargaining agent agree.

1760 (5) Subsections (3) and (4) do not apply to public
 1761 employees in public safety units.

1762 **Section 23. Subsection (3) of section 110.114, Florida**
 1763 **Statutes, is amended to read:**

1764 110.114 Employee wage deductions.—

1765 (3) Notwithstanding ~~the provisions of~~ subsections (1) and
 1766 (2), ~~the deduction of an employee's~~ membership dues deductions
 1767 as defined in s. 447.203 ~~s. 447.203(15)~~ for an employee
 1768 ~~organization as defined in s. 447.203(11)~~ shall be authorized or
 1769 permitted only for an organization that has been certified
 1770 pursuant to chapter 447 as the ~~exclusive~~ bargaining agent
 1771 ~~pursuant to chapter 447~~ for a unit of public state employees ~~in~~
 1772 ~~which the employee is included.~~ Such deductions shall be subject
 1773 ~~to the provisions of s. 447.303.~~

1774 **Section 24. Paragraph (w) of subsection (2) of section**
 1775 **110.205, Florida Statutes, is amended to read:**

1776 | 110.205 Career service; exemptions.—
 1777 | (2) EXEMPT POSITIONS.—The exempt positions that are not
 1778 | covered by this part include the following:
 1779 | (w) Managerial employees and, ~~as defined in s. 447.203(4),~~
 1780 | confidential employees, as those terms are defined in s. 447.203
 1781 | ~~s. 447.203(5)~~, and supervisory employees who spend the majority
 1782 | of their time communicating with, motivating, training, and
 1783 | evaluating employees, and planning and directing employees'
 1784 | work, and who have the authority to hire, transfer, suspend, lay
 1785 | off, recall, promote, discharge, assign, reward, or discipline
 1786 | subordinate employees or effectively recommend such action,
 1787 | including all employees serving as supervisors, administrators,
 1788 | and directors. Excluded are employees also designated as special
 1789 | risk or special risk administrative support and attorneys who
 1790 | serve as administrative law judges pursuant to s. 120.65 or for
 1791 | hearings conducted pursuant to s. 120.57(1)(a). Additionally,
 1792 | registered nurses licensed under chapter 464, dentists licensed
 1793 | under chapter 466, psychologists licensed under chapter 490 or
 1794 | chapter 491, nutritionists or dietitians licensed under part X
 1795 | of chapter 468, pharmacists licensed under chapter 465,
 1796 | psychological specialists licensed under chapter 491, physical
 1797 | therapists licensed under chapter 486, and speech therapists
 1798 | licensed under part I of chapter 468 are excluded, unless
 1799 | otherwise collectively bargained.

1800 | **Section 25. Subsection (6) of section 112.3187, Florida**

1801 **Statutes, is amended to read:**

1802 112.3187 Adverse action against employee for disclosing
 1803 information of specified nature prohibited; employee remedy and
 1804 relief.—

1805 (6) TO WHOM INFORMATION DISCLOSED.—The information
 1806 disclosed under this section must be disclosed to any agency or
 1807 federal government entity having the authority to investigate,
 1808 police, manage, or otherwise remedy the violation or act,
 1809 including, but not limited to, the Office of the Chief Inspector
 1810 General, an agency inspector general or the employee designated
 1811 as agency inspector general under s. 112.3189(1) or inspectors
 1812 general under s. 20.055, the Florida Commission on Human
 1813 Relations, and the whistle-blower's hotline created under s.
 1814 112.3189. However, for disclosures concerning a local
 1815 governmental entity, including any regional, county, or
 1816 municipal entity, special district, community college district,
 1817 or school district or any political subdivision of any of the
 1818 foregoing, the information must be disclosed to a chief
 1819 executive officer as defined in s. 447.203 ~~s. 447.203(9)~~ or
 1820 other appropriate local official.

1821 **Section 26. Subsection (5) of section 121.031, Florida**
 1822 **Statutes, is amended to read:**

1823 121.031 Administration of system; appropriation; oaths;
 1824 actuarial studies; public records.—

1825 (5) The names and addresses of retirees are confidential

1826 and exempt from ~~the provisions of~~ s. 119.07(1) to the extent
1827 that no state or local governmental agency may provide the names
1828 or addresses of such persons in aggregate, compiled, or list
1829 form to any person except to a public agency engaged in official
1830 business. However, a state or local government agency may
1831 provide the names and addresses of retirees from that agency to
1832 a bargaining agent as defined in s. 447.203 ~~s. 447.203(12)~~ or to
1833 a retiree organization for official business use. Lists of names
1834 or addresses of retirees may be exchanged by public agencies,
1835 but such lists shall not be provided to, or open for inspection
1836 by, the public. Any person may view or copy any individual's
1837 retirement records at the Department of Management Services, one
1838 record at a time, or may obtain information by a separate
1839 written request for a named individual for which information is
1840 desired.

1841 **Section 27. Subsection (1) of section 447.02, Florida**
1842 **Statutes, is amended to read:**

1843 447.02 Definitions.—The following terms, when used in this
1844 chapter, shall have the meanings ascribed to them in this
1845 section:

1846 (1) The term "labor organization" means any organization
1847 of employees or local or subdivision thereof, having within its
1848 membership residents of the state, whether incorporated or not,
1849 organized for the purpose of dealing with employers concerning
1850 hours of employment, rate of pay, working conditions, or

1851 | grievances of any kind relating to employment and recognized as
1852 | a unit of bargaining by one or more employers doing business in
1853 | this state, except that an "employee organization," as defined
1854 | in s. 447.203 ~~s. 447.203(11)~~, shall be included in this
1855 | definition at such time as it seeks to register pursuant to s.
1856 | 447.305.

1857 | **Section 28. Section 447.609, Florida Statutes, is amended**
1858 | **to read:**

1859 | 447.609 Representation in proceedings.—Any full-time
1860 | employee or officer of any public employer or employee
1861 | organization may represent his or her employer or any public
1862 | employee in ~~member of~~ a bargaining unit in any proceeding
1863 | authorized in this part, excluding the representation of any
1864 | person or public employer in a court of law by a person who is
1865 | not a licensed attorney.

1866 | **Section 29. Subsection (2) of section 1011.60, Florida**
1867 | **Statutes, is amended to read:**

1868 | 1011.60 Minimum requirements of the Florida Education
1869 | Finance Program.—Each district which participates in the state
1870 | appropriations for the Florida Education Finance Program shall
1871 | provide evidence of its effort to maintain an adequate school
1872 | program throughout the district and shall meet at least the
1873 | following requirements:

1874 | (2) MINIMUM TERM.—Operate all schools for a term of 180
1875 | actual teaching days or the equivalent on an hourly basis as

1876 specified by rules of the State Board of Education each school
 1877 year. The State Board of Education may prescribe procedures for
 1878 altering, and, upon written application, may alter, this
 1879 requirement during a national, state, or local emergency as it
 1880 may apply to an individual school or schools in any district or
 1881 districts if, in the opinion of the board, it is not feasible to
 1882 make up lost days or hours, and the apportionment may, at the
 1883 discretion of the Commissioner of Education and if the board
 1884 determines that the reduction of school days or hours is caused
 1885 by the existence of a bona fide emergency, be reduced for such
 1886 district or districts in proportion to the decrease in the
 1887 length of term in any such school or schools. A strike, as
 1888 defined in s. 447.203 ~~s. 447.203(6)~~, by employees of the school
 1889 district may not be considered an emergency.

1890 **Section 30.** This act shall take effect July 1, 2026.