

Committee on Governmental Oversight and Accountability

CS/CS/SB 256 — Employee Organizations Representing Public Employees by Fiscal Policy Committee; Governmental Oversight and Accountability Committee; and Senator Ingoglia

The bill (Chapter 2023-35, L.O.F.) amends ch. 447, F.S., relating to public employer collective bargaining, to impose several new requirements on the employee organizations that represent public employees in collective bargaining. Specifically, the bill:

- Requires employees who wish to join certain employee organizations to sign a membership authorization form that is prescribed by the Public Employees Relations Commission (PERC), which must contain specific information.
- Requires specific employee organizations to allow a member to revoke his or her membership in the organization at any time, and without any reason.
- Allows the PERC to inspect specific employee organization's membership authorization forms and membership revocation forms.
- Prohibits certain employee organizations from receiving their members' dues and assessments via salary deduction from the members' public employer.
- Expands the information required in an employee organization's annual registration renewal with the PERC. This newly required information includes information that relates to the number and percentage of dues-paying members in each bargaining unit. In addition, the employee organization's current annual financial report must be audited by an independent certified public accountant.
- Authorizes the public employer or an employee who is eligible for representation in the bargaining unit to challenge the application for registration renewal. The PERC must investigate to confirm the information submitted.
- Requires the employee organization to be recertified as the bargaining agent if the number of employees paying dues to the employee organization during the last registration period is less than 60 percent of the number of employees eligible for representation in the bargaining unit.
- Requires the certified bargaining agent to provide certain information to its members, including the annual costs of membership.
- Expands the prohibited activities by certain employee organizations and its representatives.
- Allows a public employer to petition the PERC to waive in certain instances the prohibition on dues deductions by public employers, the requirement for an employee organization to petition for recertification, and the revocation of certification of an employee organization as a certified bargaining agent.

These provisions became law upon approval by the Governor on May 9, 2023, except as otherwise provided.

Vote: Senate 23-17; House 72-44